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Letter dated 3 February 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

Enhancing cooperation and improving the flow of information with and among international, regional and subregional organizations remains one of the major areas of activity of the Counter-Terrorism Committee.

With this aim in mind, the Counter-Terrorism Committee has asked all relevant international, regional and subregional organizations to contribute a summary of their activities and experiences in the area of counter-terrorism and any developments in their work since the Committee's first special meeting with international, regional and subregional organizations, held in New York on 6 March 2003. International organizations have also been asked to provide information on their assistance programmes concerning counter-terrorism work.

Please find enclosed with the present letter the contributions received so far (see annex).

I should be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Andrey **Denisov**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Annex

Summaries provided by participants in the Counter-Terrorism Committee/Commonwealth of Independent States special meeting, 26 to 28 January 2005

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I. International, regional and subregional organizations and bodies

1. Association of South-East Asian Nations

ASEAN COOPERATION IN COMBATING INTERNATIONAL TERRORISM

I. BACKGROUND

At the 7th ASEAN Summit in November 2001 in Brunei Darussalam, the ASEAN Leaders condemned the September 11 attacks in New York and Washington and considered it as a direct challenge to the attainment of peace, progress and prosperity of ASEAN and the realization of ASEAN Vision 2020. They viewed terrorism as a profound threat to international peace and security. They expressed commitment to combat terrorism in accordance with the Charter of the United Nations, international laws and relevant UN resolutions. At the Summit, the Leaders adopted the **2001 ASEAN Declaration on Joint Action to Counter Terrorism** signifying their commitment to strengthen their regional efforts in fighting international terrorism.

The ASEAN Leaders also issued a **Declaration on Terrorism** at their Eighth ASEAN Summit in November 2002 in Phnom Penh, condemning the heinous terrorist attacks in Bali, Indonesia and in the cities of Zamboanga and Quezon in the Philippines. At the same time they deplored the tendency in some quarters to identify terrorism with particular religious or ethnic groups.

II. SPECIFIC MEASURES IN COMBATING TERRORISM

The 2001 Declaration on Joint Action to Counter Terrorism has several specific measures for ASEAN to implement, which are as follows:

1. Review and strengthen national mechanisms to combat terrorism;

2. Call for the early signing/ratification of or accession to all relevant anti-terrorist conventions including the International Convention for the Suppression of the Financing of Terrorism;

3. Deepen cooperation among ASEAN's front-line law enforcement agencies in combating terrorism and sharing "best practices";

4. Study relevant international conventions on terrorism with the view to integrating them with ASEAN mechanisms on combating international terrorism;

5. Enhance information/intelligence exchange to facilitate the flow of information, in particular, on terrorists and terrorist organizations, their movement and funding, and any other information needed to protect lives, property and the security of all modes of travel;

6. Strengthen existing cooperation and coordination between the ASEAN Ministerial Meeting on Transnational Crime (AMMTC) and other relevant ASEAN bodies in countering, preventing and suppressing all forms of terrorist acts. Particular attention would be paid to finding ways to combat terrorist organizations, support infrastructure and funding and bringing the perpetrators to justice;

7. Develop regional capacity building programmes to enhance existing capabilities of ASEAN member countries to investigate, detect, monitor and report on terrorist acts;

8. Discuss and explore practical ideas and initiatives to increase ASEAN's role in and involvement with the international community including extra regional partners within existing frameworks such as the ASEAN + 3 (China, Japan and the ROK), the ASEAN Dialogue Partners and the ASEAN Regional Forum (ARF), to make the fight against terrorism a truly regional and global endeavour; and

9. Strengthen cooperation at the bilateral, regional and international levels in combating terrorism in a comprehensive manner and affirm that at the international level the United Nations should play a major role in this regard.

The above specific measures have been incorporated in the Terrorism Component of the Work Programme adopted by the Special ASEAN Ministerial Meeting on Transnational Crime held in Kuala Lumpur in May 2002, and was built on six strategic thrusts namely:

1. information exchange;
2. cooperation in legal matters;
3. cooperation in law enforcement matters;
4. institutional capacity building;
5. training; and
6. extra regional cooperation.

III. FOLLOW-UP IMPLEMENTATION

Several ASEAN Member Countries have already become the parties to some of the 12 UN Conventions and Protocols relating to combating international terrorism. In the Work Programme, ASEAN Member Countries are encouraged to sign and/or ratify all relevant anti-terrorism conventions including the International Convention for the Suppression of the Financing of Terrorism.

ASEAN is taking a comprehensive and coordinated approach in carrying out the various areas of transnational crimes that have links to terrorism as the Work Programme also incorporates eight components of transnational crime including arms smuggling, illegal drug trafficking and money laundering. As part of the Terrorism Component of the ASEAN Work Programme, ASEAN Member Countries are now working on the establishment of a regional database for disseminating information on respective national laws, regulations, bilateral and multilateral treaties or agreements of respective countries.

The Terrorism Component, in addressing the issue of prevention and suppression of terrorist financing, calls for the enhancement of information/intelligence exchange to facilitate the flow of information, in particular, on terrorists and terrorist organizations, their movement and funding, and any other information needed to protect lives, property and the security of all modes of travel.

At the workshop on combating terrorism held in Jakarta on 22 January 2003, ASEAN police and law enforcement officials agreed that each ASEAN Member Country shall establish an anti-terrorism task force to strengthen cooperation on counter-terrorism. ASEAN also agreed to assist and collaborate with the affected ASEAN Member

Country following a terrorist attack. Assistance requested by a Member Country can be in the form of, but not limited to, identifying, pursuing and apprehending suspects, examination of witness(es), searching and seizing evidence, evacuating and treating of victims, utilizing forensic and crime laboratories.

In addition, ASEAN Senior Officials Meeting on Transnational Crime (SOMTC) is looking at the possibility of a regional convention to combat international terrorism. Several Member Countries within ASEAN are looking at a regional mutual legal assistance agreement.

The 24th Annual Conference of ASEAN Chiefs of Police (ASEANAPOL) held in August 2004 in Chiang Mai, Thailand, called for an enhanced joint operations among the ASEANAPOL members in fighting terrorism. ASEAN Chief of Police were committed to developing capacity-building initiatives to ensure that each ASEANAPOL member has the capacity to effectively monitor intelligence-sharing, information exchange and establishment of data base system to combat all forms of terrorist activities. They agreed to enhance cooperation among law enforcement agencies through the sharing of experiences and best practice on counter-terrorism and the exchange of information on suspected terrorists, organizations and their modus operandi.

Moreover, ASEAN immigration authorities have agreed to assist and coordinate with the other ASEAN law enforcement authorities to prevent the movement of terrorists and deter cross-border terrorism by working toward the establishment of intelligence units in their respective agencies to tackle trafficking in persons, human smuggling and terrorism. They have also set up an ASEAN focal point directory for ASEAN immigration authorities to exchange information.

Sub-Regional Arrangement

In addition to regional efforts, some ASEAN Member Countries have also engaged in sub-regional arrangements aimed at enhancing border security and combating subversive activities in their common borders. In May 2002, Indonesia, Malaysia and the Philippines signed the Agreement on Information Exchange and Establishment of Communication Procedures to cooperate among themselves in combating transnational crime, including terrorism. Brunei Darussalam, Cambodia and Thailand have subsequently acceded to the Agreement. As an implementation measure, all parties to the agreement convened their First Experts Group meeting in Bali on 3 February 2004 to oversee their areas of cooperation and implementation of the Agreement.

Extra-Regional Cooperation

ASEAN is cooperating with China, Japan and the Republic of Korea under the ASEAN+3 process to address the threats of transnational crimes, particularly international terrorism. The ASEAN Ministers on Transnational Crime held their first joint consultations with their counterparts from China, Japan and the Republic of Korea under the institutional body named the ASEAN Plus Three Ministerial Meeting (AMMTC+3) on 10 January 2004 in Thailand and endorsed a paper on cooperation between ASEAN and the Plus Three countries in the field of non-traditional security issues.

An ASEAN-Australia Joint Declaration for Cooperation to Combat International Terrorism was concluded in July 2004 in Jakarta. ASEAN SOMTC held its

consultation with its Australian counter-part last September to explore the possibility of implementing this Joint Declaration.

A Joint Declaration between ASEAN and China on Cooperation in the Field of Non-Traditional Security Issues was adopted by the Leaders during the 8th Summit in November 2003. The Declaration aims to deepen existing multilateral and bilateral cooperation in the various areas of transnational crime. These include strengthening information exchange, and strengthening joint research on non-traditional security issues.

As a follow-up to the Joint Declaration between ASEAN and China on Cooperation in the Field of Non-Traditional Security Issues, an MOU between the Governments of the Member Countries of ASEAN and the Government of the People's Republic of China on Cooperation in the Field of Non-Traditional Security Issues was signed by the Secretary-General of ASEAN and the Minister of Public Security of the People's Republic of China on 10 January 2004 in Bangkok. They also endorsed a 2004 Annual Work Plan to implement the above said MOU on the same day. The Joint Declarations and MOU aim to enhance cooperation in issues such as information sharing on combating transnational crime, strengthen capacity building and enhance relationships between law enforcement agencies. In this regard, ASEAN SOMTC + China holds its annual consultation to review the implementation of the Joint Declaration.

ASEAN and the European Union adopted a Joint Declaration on Cooperation to Combat Terrorism during the 14th ASEAN – EU Ministerial Meeting held in January 2003 in Brussels.

ASEAN and Japan concluded their Joint Declaration for Cooperation to Combat International Terrorism in November 2004 in Vientiane, Lao PDR. Both ASEAN and Japan is looking forward to further strengthening joint cooperation in this field through the implementation of this Joint Declaration.

During the 9th Summit in October 2003 in Bali, Indonesia, ASEAN and India adopted a Joint Declaration for Cooperation to Combat International Terrorism.

A Joint Declaration for Cooperation to Combat International Terrorism between ASEAN and the United States of America was also adopted during the ASEAN Ministerial Meeting/Post-Ministerial Conferences in Brunei Darussalam in August 2002.

As follow-up to the Declarations, an ASEAN + 3, ASEAN – China, ASEAN – US and ASEAN – EU Consultations were held back-to-back with the 3rd Senior Officials Meeting on Transnational Crime in June 2003 in Ha Noi, Viet Nam. Several joint programmes have been identified and measures are being undertaken to implement them.

On 29 September 2004, ASEAN SOMTC held its Consultations with the Plus Three (China, Japan and Republic of Korea), Australia, China, Japan and Russia to view the implementation of the above-mention Joint Declaration and to discuss on further cooperation in combating transnational crime, including terrorism.

All the above-mentioned documents are available on the ASEAN Website www.aseansec.org

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ASEAN BODIES DEALING WITH COMBATING TERRORISM

- ASEAN Chiefs of National Police Conference (**ASEANAPOL**) convene annually to exchange experience and best practice, and enhance cooperation among ASEAN National Police Agencies. However, ASEANAPOL is an independent gathering between the ASEAN Chief of Police and the next ASEANAPOL is the 25th ASEANAPOL to be held in Bali, Indonesia in May 2005;

- ASEAN Directors General of Immigration and Consul Affairs Meeting (**DGICM**) convenes annually to overlook and exchange views, experiences and best practice in combating transnational crime, especially illegal migration, trafficking in persons and terrorism. The 6th DGICM will be convened in the second quarter of 2005 in Cambodia;

- ASEAN Senior Officials Meeting on Transnational Crime (**SOMTC**), which convenes annually to review and discuss ways of combating the eight areas of transnational crime, including Arms Smuggling and illicit trade of small arms and light weapons. The body was chaired by one of the ASEAN Member Countries and is rotated alphabetically. The 5th SOMTC will be held in 3rd quarter of 2005 in Cambodia;

- ASEAN Plus Three Senior Officials Meeting on Transnational Crime (**SOMTC + 3**), was recently set up and convenes annually between ASEAN Senior Officials on Transnational Crime and the Senior Officials on Transnational Crime of China, Republic of Korea and Japan, to review and discuss their enhanced cooperation in combating transnational crime, including the issue of illicit trade in small arms and light weapons. SOMTC+3 is held back-to-back with SOMTC and is chaired by the Chairman of the SOMTC itself;

- ASEAN **SOMTC + 1** (Dialogue Partner) Consultations are held back-to-back with the annual SOMTC to discuss and review implementation of Joint Declarations and related cooperation projects. The SOMTC + 1 is held on a case-by-case basis;

- ASEAN Ministerial Meeting on Transnational Crime (**AMMTC**) convenes once in every two years to overlook and review the work of the SOMTC. The 5th AMMTC will be held in Hanoi in October 2005; and

- ASEAN Plus Three Ministerial Meeting on Transnational Crime (**AMMTC + 3**) convenes back-to-back with the AMMTC in every two years to overlook and review cooperation between ASEAN and the Plus Three Countries (China, ROK and Japan). The 2nd AMMTC+3 will be convened in Ha Noi in October 2005.

2. **Bank for International Settlements, Basel Committee on Banking Supervision**

Basel Committee's work on combating financing of terrorism

In 1988 the Basel Committee on Banking Supervision[1] issued *Prevention of the Criminal Use of the Banking System for the purpose of money-laundering*. The paper alerted banks to the risks they run if customers use them for illegal activities, and also became one of the formative documents leading to the creation of the Financial Action Task Force (FATF). The Committee, although not a member of the FATF, contributes actively to the global fight against terrorism by continuing to create awareness of the issues and by developing good practices that are designed to deny terrorist organisations access to the traditional financial system. The Committee also has ongoing relationships with counter-terrorism financing (CFT) assessors and the banking industry to promote and monitor the adherence to the CFT principles it has developed. The Committee is lending continuous support to agencies directly involved in investigation/enforcement actions, such as treasuries, judicial authorities and law enforcement agencies, through efforts to strengthen the mechanisms for exchanging information between official bodies.

The establishment of an effective customer due diligence programme by financial institutions is key in combating terrorist financing. Knowing who their new and existing customers, including beneficial owners, are is a prerequisite for the identification of accounts related to terrorism. The Basel Committee, in its *Customer due diligence for banks* (CDD) paper of October 2001, issued prudential guidance in this area. Banks must develop policies and procedures in areas such as customer acceptance, customer identification, ongoing transactions monitoring and risk management. Enforcement of these principles by each institution on a global basis, to make it harder to disguise the ownership of bank accounts. Also key in combating terrorism is the ability to track terrorist assets and financial transactions. This requires access to financial records by competent authorities. Information-sharing arrangements should exist to ensure that, in circumstances where the financing of terrorism is suspected, there are formal procedures to notify and give full assistance to the relevant law enforcement agencies, as well as making sure the relevant bank supervisors are informed. This is spelt out in the Basel Committee's 1996 document *Sharing of financial records between jurisdictions in connection with the fight against terrorist financing*. In February 2003, the Basel Committee issued *General Guide to Account Opening and Customer Identification*. This document focuses on some of the mechanisms that banks can use in developing an effective customer identification programme and is designed to support implementation of the 2001 CDD paper. The standards set out in the CDD paper were endorsed by banking supervisors from 120 countries and their support was reflected in a press communiqué in September 2002.

In October 2004 the Basel Committee issued *Consolidated KYC Risk Management*. The paper examines the critical elements for effective management of KYC risks across the head office and all branches and subsidiaries. Key to this process is the development of a global

[1] The Basel Committee on Banking Supervision (BCBS) is a committee of banking supervisory authorities that was established by central bank governors of the Group of Ten countries in 1975. A BCBS fact sheet is attached to this document.

risk management programme for KYC which incorporates consistent policies and procedures for the identification and monitoring of customer accounts on a group-wide basis across business lines and geographical locations. The paper also does not accept that legal impediments to information-sharing of customer accounts necessarily exist, but stresses nonetheless that it is essential that all jurisdictions that host foreign banks provide an appropriate legal framework which allows information for KYC risk management purposes to be passed to the head office. Furthermore, there should be no impediments to onsite visits by head office auditors, risk managers or compliance officers. All information gathered during information-sharing processes should be subject to the applicable privacy and privilege laws.

Recommendations in the 2001 CDD paper and some of its subsequent policy guidance have been incorporated into the FATF's *Methodology for Assessing Compliance with Anti-Money Laundering and Combating the Financing of Terrorism Standards*. The *Methodology* is being used by the FATF, the IMF and the World Bank to assess on a uniform basis the implementation of AML and CFT measures at national level.

Basel Committee on Banking Supervision

Functions

The Committee provides a forum for regular cooperation on banking supervisory matters. Over recent years, it has developed increasingly into a standard-setting body on all aspects of banking supervision.

Membership

Senior officials responsible for banking supervision or financial stability issues in central banks and authorities with formal responsibility for the prudential supervision of banking business where this is not the central bank.

Country	Institution
Belgium	National Bank of Belgium Banking and Finance and Insurance Commission
Canada	Bank of Canada Office of the Superintendent of Financial Institutions
France	Bank of France General Secretariat of the Banking Commission
Germany	Deutsche Bundesbank Federal Financial Services Agency
Italy	Bank of Italy
Japan	Bank of Japan Financial Services Agency

Luxembourg	Surveillance Commission for the Financial Sector
Netherlands	Netherlands Bank
Spain	Bank of Spain
Sweden	Sveriges Riksbank Swedish Financial Supervisory Authority
Switzerland	Swiss National Bank Swiss Federal Banking Commission
United Kingdom	Bank of England Financial Services Authority
United States	Board of Governors of the Federal Reserve System Federal Reserve Bank of New York Office of the Comptroller of the Currency Federal Deposit Insurance Corporation

3. Collective Security Treaty Organization

ANTITERRORISM WORK OF THE COLLECTIVE SECURITY TREATY ORGANISATION

The fact that CTC is holding its meeting in Almaty demonstrates the important role which the Republic Kazakhstan plays in international efforts to combat terrorism.

The member-states of the Collective Security Treaty Organisation (CSTO) consider fight against international terrorism as a priority of their activity. They decisively support corresponding resolutions Security Council of the United Nations (including resolutions 1373) and undertake practical steps for their implementation. The CSTO firmly supports the leading role of the United Nations in mobilizing the efforts of the international community to counter this evil.

Such position of the CSTO member-states is reflected in article 8 of the Charter of the Organization as well as in the Priority areas of the CSTO activity in 2004-2005 approved by the Council of Collective Security.

The CSTO Committee of the Secretaries of Security Councils is responsible for coordination of efforts of national bodies of the CSTO member-states in matters of joint response to the threats and challenges to security. It has at least two meetings a year.

The interdepartmental coordination of counterterrorist activities within the CSTO is the responsibility of the Working group of experts.

In order to coordinate practical measures on strengthening the CSTO potential to fight terrorism and violent manifestations of extremism the CSTO Secretariat regularly holds meetings of heads of antiterrorist departments of the security services and of the ministries of the interior of the CSTO member-states.

Department on Counteracting Threats and Challenges of the CSTO Secretariat coordinates activities directed at the fullfillment of the tasks mentioned above.

The Organization makes efforts aimed at the improvement and harmonization of national legislations in the field of struggle against threats and challenges, holds in sight questions of ratification of antiterrorist Conventions of the United Nations, other international legal instruments to combat terrorism and crime.

The Collective Forces of Rapid Deployment of the Central-Asian region created in 2001 constitute an important factor of maintenance of regional stability and counteraction to possible extremist actions. Military exercises «Frontier-2004» were staged in 2004 on the territories of Kazakhstan and Kyrgyzstan. Their purpose was to work out the interaction on localization and destruction of illegal armed formations and to prepare command mechanisms of the CSTO member-states for

struggle against international terrorism. Armed forces of Kazakhstan, Kyrgyzstan, Russia and Tajikistan took part in the trainings, as well as operative groups of the General Staffs, representatives of the CSTO advisory, executive and working organs, and observers from the CIS participant-states and Shanghai Cooperation Organization members.

Pursuant to Security Council's Resolution 1267 the CSTO Secretariat on the basis of national lists compiled a Catalog of terrorist and extremist organizations in the CSTO member-states. In accordance with the decision of the Committee of the Secretaries of Security Councils there is an exchange of information on their activities. Efforts are taken to compile a Unified List of terrorist and extremist organizations that pose a threat to collective security of the CSTO member-states.

Struggle against legalization of criminal incomes and financing of terrorism is an essential element of the CSTO antiterrorist work as it is stipulated in the resolution 1373 (2001). Primary importance in implementation of this task is given to counteraction to illicit drug trafficking which often provides financing for the activities of terrorist organizations. In 2004 the CSTO carried out wide-scale antidrug operation «Canal». Its purpose was to block illicit drug trafficking on the route Afghanistan - Russia - East and West Europe. Representatives of Azerbaijan, Iran and Uzbekistan participated in the operation as observers. This operation had preventive character and became a step toward creation of «safety belts» around Afghanistan. We intend to continue carrying out joint operations to cut illicit drug trafficking on a regular basis.

Simultaneously with the measures aimed at combating traffic of afghan drugs the CSTO takes steps to provide assistance for post-conflict settlement in Afghanistan. Corresponding Plan was approved by the organs of the CSTO and sent for signature to the Chairman of the Council of Collective Security. Steps are taken to cut illegal migration which constitutes a nourishing substance for terrorism and illicit drug trafficking. In October, 2004, our Organization received a status of the constant observer in the Euroasian working group similar to FAFT. Five CSTO member-states are members of this group. It gives additional impetus for our efforts to fight terrorism.

4. Commonwealth Secretariat

SUMMARY OF ORGANIZATION'S ACTIVITIES AND TECHNICAL ASSISTANCE PROGRAMMES:

The Commonwealth's work on Counter-terrorism stems from the mandate of Heads of State and Government. In a Statement issued on 25 October 2001 they resolved to assist each other with implementation of UN Resolution 1373 and to co-operate with the international community to frustrate the financing of terrorism and terrorist activities.

The Commonwealth Secretariat has since undertaken two projects on Counter-terrorism.

The **first project** involves preparation of Model Counter Terrorism legislation to implement UNSCR 1373 and the 12 counter terrorism conventions. Since member countries of the Commonwealth share a common legal tradition, the Common Law, the Secretariat felt it would be useful to draft model legislative provisions that countries can adapt to their use. This is particularly useful to small countries which have scarce human and financial resources to draft individual laws. The model legislation was widely circulated around the Commonwealth and beyond.

The Implementation Kits for the International Counter-Terrorism Conventions, prepared by the secretariat, contain an analysis of each of the conventions, along with a copy of the text of the Convention, list of signatories and model legislative provisions for its implementation. These too have been widely circulated.

The model law and Implementation Kits were discussed in a series of workshops. Consultants were also employed by the Commonwealth to work with member countries to assist them to adopt legislation and in some cases with the preparation of their Reports to the UN Counter-Terrorism Committee. Two workshops were held for the African Region, one in Gabarone, Botswana in November 2002 and another in Banjul, The Gambia in May 2003.

So far, the Secretariat has been able to assist 25 countries in the development, and or amendment of framework legislation to implement Resolution 1373. This phase is still ongoing and the secretariat continues to offer drafting assistance to countries.

As part of the mandate for dissemination of information, all the laws of Commonwealth countries on terrorism and terrorist financing have been compiled and a Manual of Commonwealth Laws on Terrorism would soon be circulated.

To make international co-operation and mutual assistance more effective in combating terrorism, amendments have been made to the Commonwealth Scheme on Mutual Assistance in Criminal Matters (the Harare Scheme) and the Scheme on Extradition (the London Scheme) by removing 'the political offence exception' for refusing requests.

DEVELOPMENTS:

The **second project** is a three phased program focused on training and enhancement of capacity building in counter terrorism for police and prosecutors.

Phase I of the second project involves organisation of a series of region-specific training programmes for police and prosecutors. Under this project, four training workshops have already been organized in Namibia, Singapore, Nairobi and Kuala Lumpur for the countries in Asia and Africa. The next one will be held in February, 2005 in St Kitts and Nevis for the 12 Caribbean countries. Observers from APMG, ASEAN, AU, ECOWAS, ESAAMLG, UNODC, INTERPOL, IMF, SARPCCO, SEARCCT and other Institutes have also participated in these workshops and shared their experience with the participants. These workshops have helped in establishing informal contacts and networks within the relevant regions which can be used to facilitate information sharing and cooperation. Altogether, 254 police and prosecutors from 34 countries in Africa and Asia have benefited from this training.

Phase II of the project aims at the development and introduction of a counter terrorism training manual course into the training curriculum of national and regional training institutions of member countries. Consultations are underway with different police training institutes for its curriculum and contents.

Phase III involves facilitation of exchange of experts in the field of law enforcement and prosecution and secondments on a sub-regional, regional or international basis. This National Level Training Programme is to be implemented by the member countries with the trainers trained by the Commonwealth, for which Training Manual and other training materials or assistance would be provided by the Commonwealth Secretariat. This will help in standardising the quality of training and in sustaining it for a long period.

Our projects envisage close cooperation and working with other international and regional organisations including the Counter Terrorism Committee of the United Nations and the UN Office on Drugs and Crime and undertaking joint projects in enhancing the capacity for an effective delivery system in the field of counter terrorism. Our partnership has meant that we are able to maximise our resources by avoiding duplication of work. We have also shared experiences, information and participated and contributed in their programmes, forging an effective network.

FUTURE PLAN:

Part of the Secretariat's mandate on Terrorism also includes work on:

- the use and or abuse of Information Technology for terrorist purposes;
- the tracking and disruption of the movements of terrorists and preventing the abuse of travel documents;
- Abuse of refugee systems by terrorists.

To this end we are developing another phase of the Project.

The objective of these projects is to enhance the capacity of countries in a manner consistent with fundamental rights and the rule of law and to improve information sharing and regional and international co-operation. Enhanced counter terrorism capacity will reduce global threat to security. At

the same time, enhanced knowledge and skills amongst law enforcement and prosecutorial officials will contribute to effective administration of legal systems, protection of human rights and result in good governance.

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5. Council of the Baltic Sea States

The Council of the Baltic Sea States[1] (hereinafter CBSS) was established at a conference of the foreign ministers of Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Norway, Poland, Russia, Sweden and a member of the European Commission in Copenhagen in March 1992. Iceland joined the CBSS in 1995.

The CBSS serves as an overall regional forum for intergovernmental cooperation among the Baltic Sea States, focusing on the need for intensified coordination of activities in virtually every field of government[2], with the notable exception of military defence, which is explicitly excluded as a potential area of cooperation in the Council's Terms of Reference.

The body tasked with coordinating the efforts of the CBSS member countries[3] in fighting organised crime is the Task Force on Organised Crime in the Baltic Sea Region[4]. The Task Force[5] was established based on a decision made at the 1st Baltic Sea States Summit in Sweden in 1996 due to "an urgent need for direct and concerted action to combat organised crime". The operational decision making and coordinating body, the so called Operative Committee – OPC, was subsequently established in 1998 with participation from law enforcement authorities from all CBSS countries. In addition Europol, Interpol, World Customs Organisation and the EU Commission have been invited to participate in the work of the OPC on a permanent basis.

The Task Force has concentrated its efforts to combat primarily against the illegal production and trafficking in narcotics and psychotropic substances, trafficking in persons, trafficking in stolen vehicles, illegal trafficking in goods, money laundering and environmental crime.

At its meeting in March 2002 in Estonia the Task Force representatives[6] decided to include organised crime in relation to terrorism in the operative work carried out under the auspices of the Task Force cooperation. Furthermore the Task Force decided

[1] http://www.cbss.st

[2] CBSS Ministerial meetings have been held in the fields of agriculture, children's affairs, culture, economic affairs, education, energy, finance, health, information technology, interior, justice, labour, social affairs, spatial planning, trade and industry, transport, youth affairs. CBSS meetings at the level of Directors General have been held in the fields of border control, civil protection, customs, prosecutors-general, tax administration.

[3] Denmark, Estonia, Finland, Germany, Iceland, Latvia, Lithuania, Norway, Poland, Russia and Sweden

[4] www.balticseataskforce.dk (as of January 1st, 2005 www.balticseataskforce.fi)

[5] Finland will take over chairmanship from Denmark on January 1st, 2005

[6] Personal representatives of Heads of Government

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that links between organised crime, namely illegal immigration, corruption, money laundering and other types of financial crime providing funding for terrorist activities that have been detected in the operational work, should be reported to national services specialized in counter-terrorism and to the Task Force. It was further emphasized that the work carried out within this framework should be seen as contributing to the fight against terrorism, not duplicating the work being carried out as part of the international co-operation between national security services. These conclusions were subsequently confirmed by the Conference of Baltic Sea States' Ministers responsible for Police Co-operation held in Germany in May 2002.

As requested by the Task Force, the Operative Committee drew up a report in 2002 based on member states national contributions indicating that there are links between organised crime and terrorism especially in relation to funding of terrorism.*

The Money Laundering Expert Group of the Task Force held a combined training seminar and expert meeting on October 27th - 28th, 2003 with an emphasis on terrorist financing and developing the exchange of information between competent authorities namely Financial Intelligence Units.

In addition to the above mentioned activities, the CBSS has monitored the situation in member-states with regard to the protection of human and civil rights and has focused on supporting the building and strengthening of democratic institutions, such as the Ombudsman, to ensure inter alia that there is a balance between counter terrorism measures and the protection of human rights.

For further information on the Task Force on Organised Crime in the Baltic Sea Region please contact the Secretariat of the Task Force: email balticsea.sec@krp.poliisi.fi , phone +358 9 8388 6951 or fax +358 9 8388 6952.

* Report can be found on Task Force website.

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6. Council of Europe

As a regional organisation, the CoE is engaged in facilitating the implementation of UN Security Council Resolution 1373(2001), by providing a forum for discussing and adopting regional standards and best practice and providing assistance to its member states for the improvement of their counter-terrorism capacity. At the same time, the CoE has strengthened its working relationship with other international organisations active in this field, including the EU, the OSCE and the UN.

The Council of Europe's action is threefold: (1) strengthening legal action against terrorism; (2) safeguarding fundamental values and (3) addressing the causes. This report concentrates mainly on the first two.

(1) Strengthening legal action against terrorism (www.legal.coe.int)

The most significant developments in this area relate to the work of (A) the Committee of Experts on Terrorism (CODEXTER) and (B) the Select Committee of Experts on the Evaluation of Anti-Money Laundering Measures (MONEYVAL/PC-R-EV).

(A) International Legal Co-operation - The CODEXTER (www.coe.int/gmt)

(i) Reviewing applicable Council of Europe international legal instruments

The Amending Protocol to the 1977 European Convention on the Suppression of Terrorism (ETS No. 190) was opened for signature on 15 May 2003. This Protocol will enter into force when all the States Parties to the European Convention on the Suppression of Terrorism (ETS No. 090) have ratified it. The Committee of Ministers and the CODEXTER have undertaken to hold regular *tours de table* concerning the signature and ratification of this Protocol so as to press for its entry into force as soon as possible. At the time of this meeting, the European Convention on the Suppression of Terrorism had been ratified by 44 member states while its Amending Protocol has been ratified by 10 and signed by 32.

(ii) Priority areas for action

On 17 February 2003 the CODEXTER was set up by the Committee of Ministers to coordinate and supervise the Council of Europe's contribution to the fight against terrorism in the legal field and, in particular, the implementation of the priority activities endorsed by the Committee of Ministers in November 2002, as well as of the other priority areas identified by the 25th Conference of the European Ministers of Justice (Sofia, 9-10 October 2003). Since then, the CODEXTER has held 6 meetings, and several intergovernmental committees of experts are currently working on the elaboration of various legal instruments, of binding (conventions) and not-binding (recommendations) nature according to the issues dealt with:

- In the field of *protection of witnesses and collaborators of justice*, a Committee of Experts is preparing a new draft recommendation and an opinion on the elaboration of a new convention, which are expected to be adopted by the pertinent steering committee in March and by the Committee of Ministers shortly thereafter.
- In the field of the *use of special investigation techniques*, a Committee of Experts is preparing a new draft recommendation, which is expected to be adopted by the pertinent steering committee in March and by the Committee of Ministers shortly thereafter.

In the field of *identity documents*, a group of specialists is elaborating a new draft recommendation which is expected to be adopted by the CODEXTER at the beginning of March, and by the Committee of Ministers shortly thereafter.

As to the action to cut terrorists off from funding sources (see also item (B) below), in the normative field, a Convention on money laundering and terrorist financing has been adopted on first reading by a Committee of Experts, and is expected to be ready for adoption at the next Summit of Heads of State and Government.

In the field of the protection and compensation of victims, the CODEXTER is examining national systems in order to allow a transfer of know-how and best practice, and the revision by a Group of Specialists of an existing recommendation on the prevention of victimisation is underway. Moreover, the Committee of Ministers is expected to adopt Guidelines on the protection of victims of terrorism shortly.

The European Commission for the Efficiency of Justice (CEPEJ) undertook an assessment of the *effectiveness of national judicial systems in their response to terrorism*, whose conclusions contained support for the ongoing activities in the CoE and provided suggestions for additional activities.

The CODEXTER also launched the elaboration of *country profiles* on the legislative and institutional counter-terrorism capacity of member and observer states. 8 report have been adopted and published so far; this activity takes place in close co-operation with the OSCE-ODHIR.

The CoE *Co-operation programmes to strengthen the rule of law* have been extended to take into account the need to upgrade the legislative and institutional capacities of CoE member states against terrorism. Co-operation activities are essentially based on multilateral, regional or bilateral information and training seminars, expert appraisals, needs-assessments and study visits. Members of the CODEXTER have been designated as CoE experts in several co-operation activities, such as expert appraisals, workshops and seminars, organised by the Council of Europe, often in co-operation with other international organisations, in particular the UNODC.

One of the key activities underway concerns the elaboration of a new *convention on the prevention of terrorism*. Following the opinion of the CODEXTER on the added value of a possible Council of Europe comprehensive convention on terrorism, or of some elements of such a convention, which could contribute significantly to the UN efforts in this field, the Committee of Ministers, at its 114th Session (12-13 May 2004), instructed the CODEXTER to elaborate proposals for one or more instruments (which could be legally binding or not) with specific scope dealing with existing lacunae in international law or action on the fight against terrorism. The CODEXTER is moving rapidly in the elaboration of a draft convention on the prevention of terrorism, which will include, *inter alia*, provisions on public provocation to commit acts of terrorism, recruitment and training for terrorist purposes, liability of legal entities coupled with safeguards and conditions. At its last meeting, 13-15 December 2004, the CODEXTER adopted on first reading the draft convention, which has been submitted to the CoE Parliamentary Assembly and to the Commissioner for Human Rights for opinion. The CODEXTER will reconvene to consider these opinions and review the draft in February 2005. Once approved by the CODEXTER, the Committee of Ministers is, in turn, expected to adopt the Convention and open it for signature on the occasion of the III Summit of Heads of State and Government.

(B) Fight against the financing of terrorism – The MONEYVAL (www.coe.int/moneyval)

The MONEYVAL comprises 27 Council of Europe states which are not members of the FATF.

Following the events of 11 September, on 30 April 2002 revised terms of reference were adopted to include the performance of States in complying with the FATF Eight Special Recommendations on terrorist financing (SR). Since the year 2003 the MONEYVAL has used for mutual evaluation a new comprehensive Anti-Money Laundering and Combating Terrorist Financing (AML/CFT) Methodology which incorporates the financing of terrorism issue. This methodology was used for those new countries to MONEYVAL which underwent a first mutual evaluation in 2003. The evaluations will also act as blue prints for identifying technical assistance needs. MONEYVAL completed on-site mutual evaluation visits in 2003, which included terrorist financing issues in Azerbaijan, Armenia, Serbia and Montenegro, and Bosnia and Herzegovina. The reports on these visits have been adopted.

The MONEYVAL mandate has been extended to December 2007 to undertake a third round of mutual evaluations of all MONEYVAL states on both money laundering and terrorist financing issues. The third round will commence in January 2005 with the evaluation of Slovenia and Moldova on the basis of a further revised, global AML/CFT Methodology elaborated in collaboration with the FATF and IMF/World Bank. Following an agreement with the IMF/World Bank, MONEYVAL evaluations will in principle be accepted as the AML/CFT component in the IMF/World Bank's own full Financial Sector Assessments (FSAPs) in respect of MONEYVAL states.

(2) Safeguarding fundamental values

The efforts to strengthen legal action against terrorism are based on the fundamental principle that it is possible and necessary to fight terrorism while respecting human rights, fundamental freedoms and the rule of law, in the spirit of the Guidelines on Human Rights and the Fight Against Terrorism adopted by the Committee of Ministers of the Council of Europe on 15 July 2002.

Particular efforts have been made to disseminate the Guidelines widely in member and observer states, as well as to several other international fora. Currently translations are available in 10 languages. A Seminar has been scheduled in June 2005 on the implementation at the national level of the Guidelines with the purpose of evaluating the manner in which they have been applied and of exchanging field experiences, including examples of good practice or any difficulties encountered, and of collecting proposals for improving their implementation.

It should also be recalled that the European Commission against Racism and Intolerance (ECRI) adopted a General Policy Recommendation (No. 8) on Combating Racism while Fighting Terrorism on 17 March 2004, and that the Steering Committee on the Mass Media (CDMM) is currently preparing a draft Declaration on freedom of expression and information in the media in the context of the fight

Albania, Andorra, Armenia, Azerbaijan, Bosnia-Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Georgia, Hungary, Latvia, Liechtenstein, Lithuania, Malta, Moldova, Monaco, Poland, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovak Republic, Slovenia, "The Former Yugoslav Republic of Macedonia" and Ukraine.

against terrorism. The European Committee for the Prevention of Torture (CPT) has also paid close attention to the treatment of criminal suspects detained in connection with terrorist activities.

(3) Addressing the causes

A number of activities and initiatives have been launched or intensified, based on the conviction that the in-depth work carried out by the CoE to develop strong democracies that respected their diversity and fostered greater social justice contributed to weakening the factors on which terrorism fed. Many of those activities and initiatives designed to reduce the risks of tension and radicalisation or to promote better understanding and greater cohesion have been conveniently brought together under the broad umbrella of "intercultural and inter-religious dialogue". A wide variety of CoE organs, authorities and bodies is involved in this task, also in co-operation with partners such as the OIC and the Arab League, as well as UNESCO.

7. European Union

Statement of the EU

I would like to thank the chairman of the Counter-Terrorism Committee (CTC), the chairman of the Commonwealth of Independent States (CIS) and the Minister of Foreign Affairs of the Republic of Kazakhstan for inviting me to speak on behalf of the European Union.

The fight against terrorist financing: freezing and seizing of assets

- The fight against terrorist financing is an essential part of the international fight against terrorism more generally. There can be no terrorism without money.

- The amounts involved do not necessarily have to be large. They will vary according to the strategies and methods adopted by the terrorists. Whereas some will have major projects (such as the acquisition of sophisticated weaponry, recruitment or the provision of welfare to their supporters) that require significant long-term funding, others will have more modest financial needs.

- However, all terrorists need money to finance expenditure, if only for day to day living expenses. As such, there is an almost constant need for them to raise and move money.

- The means by which they do so encompasses a wide range of both legal and illegal activity. Terrorism can often be financed from legitimately obtained income. Charitable contributions, for example, can be major sources of funding, with Non-Governmental Organisations having been the focus of much investigative work over recent years. Informal money transfer systems can also be vulnerable to use by terrorists and terrorist organisations. Terrorists are also often dependent upon the proceeds of crime. Increasingly, many individuals who raise funds for terrorist organisations are also involved in criminal activity on their own account. And like ordinary fraudsters and money launderers, today's terrorists are trans-national in their outlook and operate across global networks.

- It is clear that terrorism is an international problem: no one state acting in isolation will be able to combat the threat posed by terrorists. Effective action against terrorism therefore has to be conducted on the international stage. And in particular it requires co-ordinated international action against the financial and other assets of terrorists in an ever more globalized world where any amount of money can be easily moved from or to any place on the planet within seconds.

- The international community's response to the financing of terrorism began before 11 September 2001. There was already a comprehensive legal framework in place to counter the financing of terrorism.

- The UN Convention for the Suppression of Terrorist Financing was signed in New York in 1999. United Nations Security Resolution 1267 of 15 October 1999 called upon all States to

impose a freeze on the funds owned or controlled by the Taliban, while UNSC R 1333 of December of the same year called on all States to impose a freeze on the funds of Usama Bin Laden and Al Qa'ida. These Resolutions were renewed in 2001 through UNSC R 1390 and again last year through UNSC R 1455.

- As well as responding to these UN Resolutions by taking action to freeze terrorist assets, the international community has also taken other steps since September 11 to prevent the financing of terrorism. On 28 September 2001, the Security Council unanimously adopted Resolution 1373. This was the first resolution to impose obligations on all states to respond to the global threat of terrorism. And states – all states – are being monitored by the Counter Terrorism Committee of the Security Council to ensure that they implement these obligations. The Financial Action Task Force, FATF, has also played a key role in developing international standards in the fight against terrorist financing.

- For its part, the EU participates extremely actively in the fight against terrorist financing and was quick to take action to implement the various UN resolutions. The EU has established two lists of individuals or groups designated as being involved in terrorist acts whose assets must be frozen. The first was established pursuant to Security Council resolution 1267 (1999) and transposes into EU law the list established by the UN Security Council in accordance with this and subsequent resolutions. The second was established by the Council following the adoption of UNSC Resolution 1373 (2001). This resolution obliges all states to deny all forms of financial support for terrorists. Since Resolution 1373 does not establish a list of terrorists, the EU has developed its own system in order to list terrorist individuals, groups or entities not on the UN's 1267 list.

- Listing – especially of groups – clearly has an important political and psychological impact. Furthermore, sanctions measures have reduced the possibilities for terrorists and terrorist organisations to misuse the financial sector and have made it more difficult for organisations to raise and move funds.

- It is worth noting, however, that the transition from applying asset freezing measures primarily as a political measure against governments or persons linked to them (the original aim of most UN and EU sanctions regimes prior to 9/11) to freezing as a preventive measure, targeting terrorist individuals and groups, has led to a series of legal questions. These questions range from the criteria which should be applied and the evidence which is needed for administrative freezing, the relation of administrative freezing to judicial freezing, seizure and confiscation, to matters of due process, availability of de-listing procedures and the role of intelligence in the designation process.

- We are still reviewing our procedures in the light of these issues. But it is clear that effective freezing action will require the preparation of designations that are based on solid intelligence and information from competent authorities which comply with the agreed criteria for freezing. This will be the case whether those designations are being decided by the UN in the 1267

Committee, or by the EU itself for terrorist individuals, groups and entities not linked to Al Qa'ida and the Taliban. This will require enhanced information sharing both within and between states, while respecting legal safeguards. The EU considers that there should be greater focus on front organisations, non-profit organisations and individuals as well as on problems relating to the re-naming of organisations and is considering whether the EU's legal framework for freezing can be strengthened with regard to these issues.

- I should stress that, while the asset freeze itself is imposed at EU level, Member States must ensure its complete and prompt application at the national level. The EU is committed to monitoring national implementation in order to improve its effectiveness. The EU has recently adopted a guide to best practices on implementation of financial restrictive measures which contains a number of recommendations. These cover a range of issues including the relationship between administrative and judicial freezing and confiscation, identification of individuals as well as questions of mistaken identity. Happy to share this best practices guide with others, though should stress that it has been developed in the context of the EU's own legal framework. It is an ongoing process. We do not claim to have all the answers. But we are committed to ensuring that asset freezing is an effective tool in the fight against terrorist financing.

- There are those who question the usefulness of action to freeze assets, arguing that amounts frozen are small and not commensurate with the effort involved in implementing the freezing measures. But the effectiveness of freezing action cannot be judged purely in terms of amounts frozen. As well as reducing financial flows to terrorists and disrupting their activities, action to counter terrorist financing can provide vital information on terrorists and their networks, which in turn improves law enforcement agencies' ability to undertake successful prosecutions. And the political impact of a decision taken by the UN or the EU to declare a group or individual as terrorist should not be underestimated.

- It may be difficult to assess the disruptive impact of our efforts against terrorist financing. It is hard to tell if an attack might have been aborted because of problems with accessing funding. It is difficult to prove a negative. But we do know that because of increased monitoring of the international banking system, terrorists are increasingly being forced to use couriers to move money around the world; some have been arrested – with concerted international action, more arrests will undoubtedly follow. Restricting the space in which the terrorists can operate, even at the lowest levels of their organisation, helps to degrade their ability to plan and carry out attacks.

- We also know that the annual income of organisations such as AQ has dropped significantly since 9/11. But this is still too much. Money is still flowing into the hands of terrorists. Money is still being used to pay for attacks. As I said earlier, they do not always need a lot of money to mount these attacks. We therefore need to work harder to block the money when it moves and to identify and freeze it when it is in the banking system. Control over cross border cash movements is a valuable complement to enhancing measures in the financial sector. The greater

- the efficiency of measures adopted by financial institutions, the greater the incentive for terrorists to use cash for moving the money used to carry out terrorist offences.

- Let me conclude by saying that terrorist financing is not a short-term policy with short-term goals. It is a policy for the long-term. We must all be committed to pursuing it.

8. Group of Eight

Counterterrorism Action Group

G8 Leaders at the June 2003 Evian Summit adopted a plan to build political will and capacity to combat terrorism globally, and established the Counterterrorism Action Group (CTAG) to implement this plan. CTAG has supported the UN Counterterrorism Committee's efforts to oversee implementation of UNSCR 1373 by developing into an active forum for donors to coordinate counterterrorism cooperation with, and assistance to, third countries. CTAG encourages all countries to resist terrorism, and to meet their obligations under Resolution 1373 of the United Nations Security Council and the 12 international counterterrorism conventions and protocols.

Under the Chairmanship of France and then the United States, CTAG has met five times, twice in Paris in 2003 and three times in Washington in 2004, with the active participation of G8 member states, the European Commission, the UN Counterterrorism Committee, and other countries and organizations. Coordination meetings hosted by the local embassy of the G8 Presidency have also been held among CTAG members' diplomatic missions in recipient countries, involving as appropriate the host government and others as agreed locally by CTAG members.

CTAG has coordinated diplomatic, donor cooperation, and donor assistance efforts:

- Facilitated universal adherence to the 12 international counterterrorism conventions and protocols by encouraging nearly 100 countries to approve unratified instruments; 58 states are now party to all 12 conventions and protocols – up from 30 when CTAG was established – and 40 additional states now adhere to the *International Convention for the Suppression of the Financing of Terrorism*.

- Worked with the Financial Action task Force (FATF) to assess the potential technical assistance needs of key countries to help these comply with the FATF eight special recommendations on terrorist financing. CTAG donors are now actively seeking to address the identified needs.

- Focused G-7 donor assistance on counterterrorism needs in the APEC region, especially port and maritime security gaps, in concert with APEC's Counterterrorism Task Force; and

- Coordinated donor assistance to help countries in the Western Balkans to assess and improve airport security.

CTAG will be chaired by the United Kingdom in 2005. It will work with members to increase CTAG's interaction with regional organizations and further develop the use of in-country CTAG meetings. Substantively, it hopes to focus meetings on a small number of regional and functional priorities. In addition to the two main topics, CTAG will devote time to facilitating adoption and implementation of travel security and facilitation standards and practices being developed by the G8 under its Secure and Facilitated International Travel Initiative (SAFTI).

CTAG's standing members include the G8 member states, the European Commission, and the UN Counterterrorism Committee. They have been joined at one or more meetings to date by Australia, Spain, Switzerland, the Asian Development Bank, the Asia Pacific Economic Cooperation forum, the International Civil Aviation Organization, the International Maritime Organization, the Organization for Security Cooperation in Europe, and the UN/ODC's Terrorism Prevention Branch.

9. GUUAM

Updated Report on the GUUAM (Republic of Azerbaijan, Georgia, Republic of Moldova, Ukraine and Republic of Uzbekistan) Counter-Terrorism Activities

This brief report presents a summary of the recent developments within the GUUAM (Republic of Azerbaijan, Georgia, Republic of Moldova, Republic of Uzbekistan and Ukraine) in the area of counter-terrorism, prepared as a contribution to the Fourth Special Meeting of Counter-Terrorism Committee with international, regional and sub-regional organizations to be held in Almaty on 26-28 January 2005.

As it was previously reported, fight against international terrorism, illegal arms and drug trafficking, organized crime is one of the major activities of the Organization. The basis for cooperation was laid down in the Agreement on Cooperation among the Governments of GUUAM Participating States in the Field of Combat Against Terrorism, Organized Crime and Other Dangerous Types of Crimes signed in 2002.

The GUUAM continued the implementation of two projects in the area of counter-terrorism and border security sponsored by the U.S. Government:

- Project on Establishment of the GUUAM Virtual Center (VC) for combating terrorism, organized crime, drug trafficking and other dangerous types of crimes;
- Project on Creation of the GUUAM Interstate Information Management System (IIMS).

The GUUAM VC will serve as a focal point for on-line communication, analyses and exchange of operational information on law enforcement activities, as well as for facilitation of joint operations and coordination of major crime investigations. The IIMS constitutes information backup and support system for broad range of activities covered by the GUUAM Framework Program on law enforcement, body interdictions and data exchange between and among relevant services on security of transport corridors, including issues related to threats of terrorism, organized crime, drugs trafficking and illegal migration. The system mentioned is constituted of five equal and similar stations located in each of the GUUAM capitals linked through a protected satellite communications channel.

On 24-25 May 2004 in Baku the GUUAM Working Group on supp[illegible]sing terrorism, organized crime and drug trafficking discussed the final stage of the implementation of the GUUAM VC and IIMS projects. A Training Seminar for the IT experts of the GUUAM Countries was organized with the assistance of the U.S. representatives in Baku from 15 November to 2 December 2004. The first information-sharing node for the Virtual Law Enforcement Center was established in Baku, Azerbaijan in December 2004. Similar national stations are to be established soon in other GUUAM capitals.

The GUUAM remains actively engaged in the fight against international terrorism and organized crime. In the course of meeting of Ministers and National Coordinators the practical steps in this area are being frequently discussed and approved. The GUUAM Working Group on Fight against terrorism,

organized crime and drug trafficking holds regular meeting and discusses measures to be jointly implemented.

On 7 April 2004 the GUUAM Countries issued a joint statement condemning terrorist acts in Uzbekistan and reaffirmed their firm commitment to continue joint efforts to curb international terrorism. On 20 May 2004 in the course of European regional consultations in the framework of the IAEA in Vienna the delegations of the GUUAM Countries held a meeting to discuss the prospects of cooperation in the field of radiation safety. An important meeting was held in Istanbul on 28 June 2004 on the sideline of the NATO Summit where the Ministers of Foreign Affairs of the GUUAM Countries adopted a number of relevant documents. A regular meeting of the Ministers of Foreign Affairs was held in New York on 23 September and 7 December 2004 in Sofia on the margin of the UN General Assembly and OSCE Ministerial Meeting respectively, where the issue of counter-terrorism was core one in the agenda.

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10. International Association of Insurance Supervisors

IAIS activities regarding counter-terrorism and developments since CTC meeting in March 2003

Anti-money laundering and combating the financing of terrorism is a priority area for the International Association of Insurance Supervisors (IAIS). Issues relating to anti-money laundering and combating the financing of terrorism are dealt with primarily through the Association's Insurance Fraud Subcommittee, which met five times in 2004. The IAIS is an observer of the Financial Action Task Force on Money Laundering (FATF) and participates in the current FATF working group which is looking at typologies on money laundering involving insurance.

In October 2003 the IAIS revised and expanded its *Insurance core principles and methodology*, compliance with which is required for an insurance supervisory system to be effective. As part of this revision new ICP 28 was introduced, dealing specifically with anti-money laundering and combating the financing of terrorism. In accordance with ICP 28 the Recommendations of the FATF applicable to the insurance sector and to insurance supervision must be satisfied to reach this objective.

At its Annual General meeting in October 2004 the IAIS approved a *Guidance paper on anti-money laundering and combating the financing of terrorism*, which replaces the *Anti-money laundering guidance paper for insurance supervisors and insurance entities* of January 2002. The new guidance paper takes into account the revised Financial Action Task Force (FATF) 40 Recommendations of June 2003 and the *Methodology for Assessing compliance with the FATF 40 recommendations and the 8 special recommendations* issued in February 2004, as well as the 8 Special Recommendations on Terrorist Financing of October 2001. It provides specific guidance for insurance supervisors and the insurance sector. One of the new elements of the Recommendations is the concept of Customer Due Diligence (CDD), and one purpose of the paper is to give guidance with respect to CDD tailored to the specific features of the insurance industry and its supervision.

II. International Bar Association

The International Bar Association (IBA) is a global federation of lawyers, Law Societies and Bar Associations that seeks to influence the development of international law reform and shape the future of the legal profession. Its 195 Member Organizations and 16,000 individual members cover all continents. The IBA's Human Rights Institute (HRI) works across the organization, helping to promote, protect and enforce human rights under a just rule of law and to preserve the independence of the judiciary and legal profession worldwide.

In October 2001, in response to the attacks that took place on 11 September 2001, the IBA created the Task Force on International Terrorism. It brought together a group of leading experts from around the world to consider the legal responses to international terrorism. The Task Force, Co-chaired by Justice Richard Goldstone (South Africa) and Ambassador Emilio Cardenas (Argentina), comprised Dr Badria El-Awadhi (Kuwait), Professor Cherif Bassiouni (US), Stig Hedenquist (Sweden), Baroness Helena Kennedy QC (UK), Fali Nariman (India), Professor Michael Reisman (US).

During its deliberations, the Task Force met with governments, NGOs, academics and lawyers to stream a wide range of views on legal developments post 9/11. The Task Force was especially interested in the adoption of new anti-terrorist legislation and its conformity with international standards, including UN Resolution 1373. In early October 2003 a comprehensive report of the Task Force's findings, conclusions and recommendations was published by Transnational Publishers under the title "International Terrorism: Legal Challenges and Responses." The recommendations of the Task Force have been consolidated into the IBA Task Force Principles on Suppressing Terrorism which serve as a set of standards to be observed when dealing with terrorism.

During 2004 the IBA and HRI have continued to widely disseminate the findings of the Task Force and its report. In October the IBA held seminars in Stockholm and Toronto to debate the issues raised in the report; to deepen the understanding of various groups, including civil society, the legal profession and the general public of the international legal framework relating to international terrorism; in particular, it was felt important to stimulate discussion on the proposals made in the report, to highlight the various options for response and the implications of those choices.

In October 2003, the HRI issued an amicus curiae brief on behalf of detainees in Guantanamo Bay before the US Supreme Court. In its brief, the HRI encouraged the court to recognize the fundamental principle that domestic law should be interpreted in conformity with international law. The Supreme Court held by majority that US law confers upon Guantanamo detainees the right to challenge their detention by means of habeas corpus.

During 2004 the IBA and HRI have continued to urge a speedy halt to any criminal trial and the use of indefinite detention.

12. International Criminal Police Organization

The fight against international terrorism

Interpol's position on terrorism

13. International Maritime Organization

ACTIVITIES OF THE INTERNATIONAL MARITIME ORGANIZATION TO ENHANCE MARITIME SECURITY

(Related information are provided in document S/AC.40/2003/SM 1/1)

General

The work of the International Maritime Organization, in the area of enhancement of security, addresses various aspects of resolution S/Res/1373/2001, particularly matters which fall under operative paragraphs 3, 4 and 5.

The special measures to enhan maritime security

The special measures to enhance maritime security, which the IMO has adopted on 12 December 2002 within the framework of the International Convention on the Safety of Life at Sea (SOLAS) 1974 as amended (SOLAS Convention), entered into force on the 1 July 2004. The measures, as explained also in document S/AC.40/2003/SM 1/2, are contained in a new chapter in the SOLAS Convention (the provisions of which shall be treated as mandatory) which is supported by the International Code for the Security of Ships and of Port Facilities (ISPS Code). The ISPS Code, which establishes the detailed security-related requirements, consisting of Part A (the provisions of which shall be treated as mandatory) and Part B (the provisions of which shall be treated as recommendatory).

Although the work within IMO was initiated as a result of the "9/11 events" the end results address aspects of security beyond terrorism. The measures currently in force cover the whole spectrum of security such as attempts to commit petty thefts, piracy and armed robbery, attempts to board a ship as a stowaway or illegal migrant and finally terrorism.

The maritime security measures apply to ships engaged in international trade and to port facilities serving such ships.

The maritime security measures aim towards establishing a security conscious culture amongst seafarers, ship owners, ship operators, maritime sector services providers and port facility operators, users and service providers and focus on enhancing awareness and vigilance.

These measures have a "preventive" character and the response, suppression, containment and control in case security is breached or of a security incident is a matter for the police and the security services of each State.

Port facility is a location, as determined by the Contracting Government or by the Designated Authority, where the ship/port interface takes place. This includes areas such as anchorages, waiting berths and approaches from seaward, as appropriate.

In essence, the SOLAS chapter XI-2 and the ISPS Code take the approach that ensuring the security of ships and port facilities is basically a risk management activity and in order to determine what security measures are appropriate, an assessment of the risks must be made in each particular case.

The purpose of the ISPS Code is to provide a standardized, consistent framework for evaluating security risks, enabling SOLAS Contracting Governments to offset, through appropriate security instructions, changes in security threats with changes in vulnerability for ships and port facilities.

The maritime security measures also establish the right of a State which is a SOLAS Contracting Government to deny the entry of ships into its ports or to expel from its ports ships when it considers that the ship in question either does not comply with the provisions of the special measures to enhance maritime security or it presents a threat to the safety or security of persons, ships, port facilities and other property.

The maritime security measures also require States which are SOLAS Contracting Governments to provide general guidance on the measures considered appropriate to reduce the security risk to ships flying their flag when at sea. In additional coastal States which are SOLAS Contracting Governments are expected to offer advice, and where necessary assistance, to ships operating in their territorial sea or having communicated an intention to enter their territorial sea to reduce the security risk.

The use of a ship in a lawful trade for the purpose of generating funds to finance terrorist activities is not explicitly addressed in the measures. However, ships are required to carry on board various documentary evidence attesting the employment of the ship (i.e. who decides the chartering and who are the charterers) and the employment of the seafarers working on board. These are to be made available to the competent authorities of each State, which is SOLAS Contracting Government, for the investigative work of their security services.

The measures are currently in force in 153 States and by 17 March 2005 they will be applied by 155 States. It is estimated that approximately 20,000 seagoing ships have complied with the measures. The estimated number of port facilities which are required to comply with the measures is 9,500 and the information available suggest that 97 percent of these have already complied.

In broad terms States who are SOLAS Contracting Governments have the treaty obligation to establish and to maintain the necessary legislative and administrative infrastructure so as to give full and complete effect to the provisions of SOLAS chapter XI-2 and of the ISPS Code. The States concerned have the duty and the responsibility to monitor the compliance of ships flying their flag and of port facilities located within their territory with the provisions of the SOLAS chapter XI-2 and of the ISPS Code and to take appropriate enforcement actions as the circumstances dictate. In addition, they have the right to take control and compliance measures against ships entering or in their ports irrespective of the flag such ships are entitled to fly.

Addressing security-related issues within IMO

The Assembly at IMO, in November 2003, decided that the enhancement of maritime security forms part of strategic directions and plan of the IMO. The Assembly has its regular session towards the end of the autumn during odd calendar years and establishes the policy directions of the IMO and the priorities during the next two years.

Between successive sessions of the Assembly, the Council of IMO, who is the governing body meets in regular sessions every six months and performs the functions of the Assembly between successive sessions of the Assembly.

The revision and updating of the special measures to enhance maritime security as well as the establishment of new security-related requirements are the competency of the States. These States are SOLAS Contracting Governments are under the purview of the Maritime Safety Committee (MSC) of the IMO. During an even calendar year the MSC holds two regular sessions, in spring and in late autumn, and during an odd calendar year the MSC has one regular session during spring. The agenda of the MSC contains a varied of issues but the Measures to enhance maritime security have been well established as a standing item. Since February 2002, the MSC established the Maritime Security Working Group (MSWG) which meets during each session of the MSC, in parallel to the plenary session and intersessionally when required. In addition, a number of Sub-Committees, which operate under the MSC and which meet once every year have been assigned security-related matters.

Activities of the IMO Secretariat

From 1 January 2004, the Maritime Safety Division of the IMO Secretariat has been re-organized and restructured in a manner which has led to the establishment of a dedicated Maritime Security Section under the Sub-Division for Operational Safety, Security and Human Element. This section is responsible for all matters which fall within the scope of the special measures to enhance maritime security as well as piracy and armed robbery issue.

The Technical Co-operation Division of the IMO Secretariat is responsible for the delivery of the security related activities foreseen in the technical co-operation programme (ITCP) of the IMO which is approved by the Assembly based on the recommendations of the Technical Co-operation Committee.

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Developments since March 2003

The Maritime Safety Committee (MSC) of IMO, in an effort to address a number of practical problems which have arisen either during the stage of the initial implementation of the special measures to enhance maritime security or following their entry into force as a result of the approach taken by a number of States which are SOLAS Contracting Government, has adopted a number of performance standards, recommendations and guidance notes. One of the areas which still raise concerns relates to the seafarers shore leave and access to ships. The MSC and its subsidiary bodies continue the work on the long-range identification and tracking which is one of the security-related measures proposed in February 2002 which is still under development.

The MSC approved, in December 2004, the thematic priorities for the technical co-operation programme in the area of security for 2006-2007.

The Legal Committee of IMO has continued its work on the revisions of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1998 and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, 1988 and the Council of IMO approved in November 2004 the convening, in October 2005, of a diplomatic conference with a view to adopting amendments to the aforesaid instruments. The amendments under discussion include proposals which seek to make illegal the carriage by sea of nuclear and fissionable materials as well as the carriage by sea of so-called "dual-use" materials. Various provisions, under consideration, link the treaties to the nuclear non-proliferation regime and the inclusion of provisions allowing the boarding and inspection of ships at sea is being debated.

The development of the ILO/IMO Code of Practice on Security in Ports, which is a joint work with the International Labour Organization (ILO) has been completed and the code has been approved by the ILO Governing Body in March 2004 and by the MSC in May 2004.

The Council of IMO in June and in November 2004 discussed the question of the Protection of Shipping Lanes of Strategic Importance and concluded, *inter alia*, that:

(a) the Organization had and could play a role in the protection of shipping lanes of strategic importance and significance;

(b) the Organization and the Secretary-General should, in co-operation with the littoral States concerned, continue their efforts to enhance safety, security and environmental protection in the Strait of Malacca through assisting the littoral States, Strait users and other stakeholders to take appropriate action to ensure that the Strait continues to remain safe, secure and open to international navigation, including through awareness-increasing; information-sharing; personnel training; capacity-building; and technical co-operation;

(c) in seeking attainment of the above objectives, the Organization and the Secretary-General should seek to promote the Marine Electronic Highway project specifically designed for the Straits of Malacca and Singapore.

Technical assistance programme

Through the Global Technical Co-operation Programme on Maritime Security, the IMO Secretariat has continued to take a proactive role in assisting Member States to comply with the Special measures to enhance maritime security. Between April 2002 and 1 September 2004, 18 regional or sub-regional seminars/workshops on maritime security were held under this programme, covering all developing regions and countries in transition. By 1 September 2004, 74 national training courses/advisory missions had been organized, totalling 3,505 persons having been trained through this process.

Complementary to this programme, the IMO Secretariat has launched a maritime security "Train-the-Trainer" programme, initially expected to consist of eighteen courses worldwide. The first pilot course, hosted by the Arab Academy for Science and Technology and Maritime Transport, Alexandria, Egypt, was conducted successfully from 20 to 25 September 2004. Twenty participants from six SUA/SOLAS Contracting Governments (Egypt, Jordan, Libyan Arab Jamahiriya, Malta, Tunisia, and Yemen) completed the course, many volunteering to assist the IMO to deliver further courses in the region. Participants' travel and accommodation costs were borne by their sponsoring Governments or organizations. A second similar course has been held in Busan, Republic of Korea, from 25 to 29 October 2004. The planning of further "Train-the-Trainer" courses in various regions during 2005 is at an advance stage.

These six-day Train-the-Trainer courses focus on developing maritime security knowledge among the instructors so that they are better equipped to train others, using the IMO model courses for Ship, Company and Port Facility Security Officers. It is intended that "graduates" of the courses, assisted by IMO experts, will then train further instructors on a regional and sub-regional basis, as well as delivering IMO model courses relating to maritime security in their own national training centres. This train-the-trainer" strategy should result in a significant increase in the number of people trained to a standard consistent with IMO expectations and will be a cost effective use of funds.

Further to the plan for holding a series of regional or sub-regional seminars/workshops on maritime security, national training courses/advisory missions is contemplate held under this programme, covering all developing regions and countries in transition for 2005 and onwards. These form part of the capacity building efforts of the IMO and would seek to update the participants on the latest developments in relation to the Special measures to enhance maritime security. In addition the aim of the regional and of the sub-regional events is to build up the security network and to foster the co-operation and coordination between the parties concerned. National training courses/advisory missions would also seek to map the actual level of implementation on the ground and to identify the areas where action is required.

It is also envisaged that, following the adoption of the amendments to the 1988 SUA treaties, the technical co-operation activities of the IMO would also include an appropriate programme aiming towards the acceptance and adherence to the new instruments.

14. International Organization for Migration

IOM Background Documentation

I. Areas of IOM's Work that Deal with Measures Outlined in SCR 1373

A. Improved operational systems in the migration sector

IOM assists governments in improving operational systems and training structures that support improved migration management, and which are common and essential tools for security in the migration sector. IOM views these systems and tools as normal components of most countries' migration management systems, equally useful in facilitating normal and usual trans-border movement as they are in adding appropriate levels of security to those processes. Two key areas of current work are border systems and travel documents and their issuance systems.

1) Border Systems

IOM assists governments in assessing, planning and implementing improvements to border management systems. System features generally include: 1) the management or business process used at the checkpoints; 2) the data systems for managing and recording entry and exit processes; 3) the integration of border data systems with other relevant systems, such as passport issuance data bases; and, 4) staffing patterns and training requirements and solutions needed to support needed improvements. Biometrics can enter into this area of activity, if collection or reading of biometric data is assessed as a useful feature for a particular country's border system.

2) Travel documents and issuance systems

IOM assists governments in assessing, planning and implementing improvements to travel documents, particularly passports, and to the issuance systems for these documents. The following areas are commonly addressed: 1) the quality and characteristics of the travel document, referencing ICAO standards; 2) the registration and issuance systems for travel documents; 3) the improvement and integration of source documents used to inform travel document issuance decisions; 4) the business process, including rendering procedures, related to enacting system improvements; and, 5) staffing patterns and training requirements and solutions needed to support needed improvements. Biometrics can enter into this area of activity in both the travel document itself and the registration and issuance process.

B. Training and Human Resource Development

IOM assists governments in upgrading training systems and programmes for migration officials, including those features of migration management that impact the security sector. The approach generally focuses on: 1) actions to improve government capacities to assess

training needs, and to design and deliver training programmes; 2) support to government participation in bilateral, regional and broader forums for training and staff development; and, 3) support to the design and delivery of specific national training events.

C. Dialogue and joint planning

IOM assists governments in planning and implementing consultations on migration and security, and in engaging in joint planning at the policy and technical levels. These consultations may be sub-regional, regional or multi-regional in scope, and may be dedicated specifically to migration and security matters, or may have broader agendas with security as one component.

D. Improved policy and legal frameworks

IOM assists governments in reviewing and revising legal, regulatory and policy frameworks in the migration sector, including elements that relate to migration and security. The areas of focus include those related to the suppression of trans-national organized crime in the migration sector, particularly smuggling and trafficking.

2. Codes, Standards and Recommended Best Practices

IOM promotes, as best practices, the achievement of well-articulated migration management systems and approaches by all governments. Our particular emphasis is on assisting the less-resourced and less-experienced governments to develop such systems, and to manage them in a manner consistent with international standards and responsive to the national goals relating to migration. IOM views well-articulated migration management systems, policies, legal frameworks, and cooperation agreements as among the normal and usual tools of governance, and that such systems are equally supportive of the promotion of normal movement, tourism and trade, as they are supportive of improved security in the migration sector. Additionally, IOM views such systems as supportive of efforts to ensure adequate protection of the vulnerable in the migration sector, including actual and potential victims of trafficking. Finally, such improvements in the migration sector are essential to reducing the overall influence of trans-national organised crime, as such crime is present in the migration sector through smuggling and trafficking networks.

3. How Action is Taken

IOM works with our Member and Observer States and with other States on occasion, to provide appropriate assistance in any of the areas noted under point (1). Actions may be developed in several different ways. 1) IOM may be asked to follow up on a bilateral or regional inter-governmental discussions that have led to the identification of specific needs and shared goals; 2) IOM may be requested by Member, Observer or other government to assist them in particular areas - priority attention is provided to Member and Observer governments, but assistance can in some instances be provided to governments that are neither; 3) IOM may respond to priorities

defined in strategic cooperation plans from donor countries and agencies, including the European Commission, to set in place such programmes with governments.

IOM takes action in this sector in two ways. First, and predominantly, through the development and implementation of specific national, regional and cross-regional projects covering the areas of activity noted in point (1). These activities generally take place under the guidance of IOM's Technical Cooperation Service and, in specialised cases, through the IOM Counter-Trafficking Service as well. Project activities are significant and expanding, and cover all regions of the world. Projects are designed and implemented as partnerships with the concerned government, and are supported by donors who may also at times take an operational partnership role in the projects. In the area of travel documents, IOM consults closely with ICAO and serves on ICAO's Education and Promotion Working Group. IOM also includes the private sector in travel document improvement activities and works with key donors to help them shape their strategies and priorities for security improvements in the migration sector.

Action is also taken on the consultation level with our Member States, through formal and informal channels.

4. Contact Point

IOM's contact point for CTC is:

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5. Developments in IOM's Work since the first CTC special meeting (6 March 2003)

IOM's work in all areas described in point (1) was significant at the date of the first CTC meeting and has expanded since. The strongest areas of increased activity are the following:

A. Expanded activities with governments in border improvement systems, particularly in Africa, the Caribbean, Central Asia, Eastern Europe/Former Soviet Union, South Asia, South-eastern Asia and Oceania.

B. Expanded activities in travel document and issuance system improvement in the Caribbean, Central Asia, Central and South America, and South Asia. Additionally, IOM has expanded its cooperation with ICAO, particularly through the Education and Promotion Working Group (EPWG).

C. Expanded activities in related training and human resource development, and in policy and legal framework review, particularly in Africa.

D. Expanded activities in counter-trafficking and counter-smuggling in most regions of the world, including activities to build government capacities to reduce the influence of transnational organised crime in the migration sector.

E. Expanded consultation on migration and security, including the most recent Inter-Consultation on Migration (ICM) for Afghanistan, Central Asia, Pakistan and the Russian Federation, which will focus on migration and security, to be held in Moscow, January 2005.

F. In mid-2003, IOM updated its 2001 report International Terrorism and Migration (which is provided separately as a reference for the Almaty CTC meeting), and will again update this report in 2005.

15. **Islamic Development Bank**

A SUMMARY OF THE ISLAMIC DEVELOPMENT BANK'S WORK ON COUNTER TERRORISM.

1. The Islamic Development Bank (IsDB) is an international financial institution established pursuant to Articles of Agreement signed and / or ratified by sovereign countries for the purpose of fostering economic and social development of its member countries and Muslim communities in non-member countries. IsDB Membership increased overtime, reaching (56) Countries in Africa, Asia and Middle east.

2. In the ordinary course of carrying out its functions, the IsDB deals mainly with government institutions, organizations, public and private sector entities, corporations, companies, and NGOs. It does not establish or maintain individual personal accounts, nor does it deal with individuals except in their capacity as officials, or authorized representatives of government, or non – government institutions. Consequently, the risk of the IsDB being used as a means to facilitate money laundering activities, or as a source of funds for the conduct of illegal activities, is remote, if any.

3. As part of its overall efforts to foster economic and social development, and with a view to developing and promoting the human resources of its member countries and Muslim communities in non-member countries, IsDB has launched and funded Scholarship Programs for Muslim students in cooperation with duly registered and officially approved, counterparts and organizations established specifically for this purpose in member countries. Disbursements of tuitions fees, stipends, books' clothing allowances, medical expenses, tickets, etc… under this Program are made through bank drafts in favor of the beneficiaries through approved channels in compliance with detailed terms and conditions.

4. The IsDB is strongly committed to ensuring that all of its activities are governed by strict rules, procedures, and guidelines, and that such activities are undertaken on the basis of rigorous scrutiny, due diligence, monitoring and oversight. The fundamental principle is to ensure the utmost regularity, transparency and legality in all aspects of the IsDB's activities. To this end, the IsDB takes into consideration the unbiased and non-political recommendations of international entities like the Financial Action Task Force (FATF) and its Forty Recommendations on Money Laundering, the FATF's Eight Special Recommendations on Terrorist Financing, as well as the International convention for Suppression of the Financing of Terrorism and UN Security Council Resolution 1373, etc., as the measures to combat money laundering and the financing of terrorism.

5. In fulfilling its vision and mission the IsDB has adopted a Code of Conduct aimed at ensuring that it cultivate high ethical standards for all staff members and ensure that these standards are fully observed in all activities and dealings. The Code of Conduct supplements the various provisions of the Articles of Agreement establishing the Bank, the Staff Regulations, Staff Rules, and other documents.

6. In furtherance of these goals and purposes, the IsDB has been working on a [illegible] business practices and customer due diligence standards. These standards and guidelines are recently approved by the management and must be strictly observed by all staff members in their conduct of the activities of the IsDB Group. Failure to do so could result in various consequences. The whole document will be sent to the EC/CTC for additional information on this very crucial issue.

7. In accordance with sound banking principles, the IsDB has put in place financial investment guidelines and procedures applicable to the procurement of goods and services, disbursement of funds and dealing with counterparties.

8. The Financial Rules provide detailed guidance regarding contract approvals as well as the internal controls and administrative processes necessary to safeguard the interests of the IsDB.

9. The Procurement Procedures have clear provisions to guide concerned parties with regard to rules and conditions to be followed for procurement of goods and services financed by the IsDB.

10. The Disbursement Procedures stipulate those conditions and steps to be taken prior to the withdrawal of funds pursuant to a financing agreement to ensure proper control and compliance to the Articles of Agreement.

11. In addition to the above, the Articles of Agreement establishing the IsDB require that, in contributing to the economic development and social progress of its member countries, the IsDB should operate within a framework of sound banking principles. Article 16 of the Articles of Agreement, among other things, stipulates that:

(a) The IsDB should have necessary measures to ensure that funds made available to it are used only for the purposes for which they are provided.

(b) Using financing approved should provide due attention to economy and efficiency in the operations financed by the IsDB.

(c) The IsDB should not finance any undertaking in the territory of a member if such member objects to such financing.

12. As a multilateral development financial institution, the IsDB can assist member countries through existing technical assistance programs to improve their capacity to meet their obligations under UN Resolution 1373 (2001).

13. The IsDB welcomes any coordination with the CTC and other multilateral financial institutions to improve and avoid duplication in technical assistance provided to countries with joint membership with other similar institutions.

14. The contact person form the IsDB for matters related to coordination with the CTC and multilateral financial institutions is Dr. Jamal Salah who can be reached at the following address:

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16. League of Arab States

Paper on the efforts of the League of Arab States in the field of counter-terrorism

The following is a summary of the activities, programmes and initiatives undertaken by the League of Arab States in the field of counter-terrorism from March to December 2004.

I. Within the framework of joint Arab action to combat terrorism in the Arab world

1. The Arab Bureau of Criminal Police of the Council of Arab Ministers of the Interior, in its tasks entrusted with overseeing the implementation of the Arab Convention for the Suppression of Terrorism, prepared the third fourth annual report on measures and procedures adopted by the competent authorities of Arab States (ministries of justice and the interior) in the field of counter-terrorism. The report was submitted to the Council of Arab Ministers of Justice at its 19th ordinary session, held in Cairo on 29 November 2004, at which the Council adopted a decision for the establishment of a joint committee made up of representatives of the ministries of interior and the ministries of the Arab States to assess the procedures and patterns of implementation of the Arab Convention for the Suppression of Terrorism over the previous five years.

2. In addition, the Arab Bureau of Criminal Police has continued its efforts in the areas of security and investigation, apprehension of perpetrators of terrorist offences, coordination among Arab States in the field of exchange of experiences and information regarding terrorism-related issues, voyages and dissemination of requests for searches and for the discreet surveillance of persons for fugitives charged with or convicted of terrorist offences, developments in the database established at the Bureau on the phenomenon of terrorism in all its forms, activities of Arab security organs with extremist information and with all new developments in this field, and recognition of the backgrounds of persons and organizations suspected of such and any connection to the fuel-burning countries' States.

3. A meeting of experts in the prevention of crimes and the control of the Arab States was held in Damascus from 7 to 11 September 2004 to discuss the difficulties and obstacles that stand in the way of the coordination of information and expert training. The meeting proposed measures calling, in particular, for the conclusion of relevant Arab States of bilateral agreements to facilitate the effective implementation of the 1983 Arab Convention on Judicial Cooperation. The Arab Convention on the Suppression of Terrorism, coordination between the competent authorities in States requesting extradition and requested States to ensure that extradition files are properly prepared, and the establishment of a committee to oversee the rules of procedures of the Arab Anti-Crime Convention.

4. The League's Council of Arab Ministers of the Interior, entrusted with the implementation of the 2001 plan of action of the Arab summit conference, adopted by the Council in 1997, is carrying out the following: the establishment of special committees to monitor, control and counter all the financing operations of terrorist organizations and their sources; the suspension of a joint Arab action plan by the Council of Arab Ministers of the Interior and the Council of Arab Banks; the training of Arab cadres in methods and techniques associated with financing terrorism; the issuing of Arab laws, rules and regulations combating terrorism.

5. The League of Arab States has prepared a draft convention on the rights of victims of the Arab States and compensation thereof for their loss. The League also supported one of the victims in their cause in the area of aggression and in another case of violence [illegible] and the international community.

counter-terrorism, with the guidance of the Arab model law on combating terrorism and the Arab model law on extradition.

6. The annual conference of officials responsible for combating terrorism in the Arab States was held within the framework of the Council of Arab Ministers of the Interior. The purpose of such yearly conferences is to promote mutual consultation and the exchange of information, experience and assistance relating to counter-terrorism and to coordinate efforts among the organs concerned in the Arab countries.

II. Within the framework of international cooperation in the field of counter-terrorism

7. The League of Arab States, through its specialized councils and the League organs concerned, has reiterated its unqualified condemnation of terrorism in all its forms, irrespective of its motives; its support for international efforts against terrorism; its rejection of the confounding of terrorism with Islam, which calls for tolerance and forbids the killing of innocent persons; and the confounding of terrorism with the legitimate right of peoples to resist occupation. It has expressed its strong condemnation of the terrorist acts of aggression that have recently occurred in some Arab countries, in a school in the south of the Russian Federation and elsewhere in the world, and has adopted resolutions in support of cooperation with the Counter-Terrorism Committee established pursuant to Security Council resolution 1373 (2001), the United Nations Office on Drugs and Crime (UNODC) and the Terrorism Prevention Branch of that Office. The League has called on Arab States to take advantage of the technical assistance provided by UNODC, but has not yet received any information regarding the extent to which they have done so.

8. The League of Arab States took part in the thirteenth session of the United Nations Commission on Crime Prevention and Criminal Justice, held in Vienna from 11 to 20 May 2004. The League's representative delivered a statement on the theme of international cooperation in the field of counter-terrorism and conducted consultations with UNODC officials on ways to support cooperation between the two sides and on arrangements for the League's hosting of an Arab regional symposium on counter-terrorism in cooperation with UNODC in September 2004.

9. The League of Arab States also participated in the Regional Ministerial Conference of Francophone African Countries on combating terrorism, corruption and transnational organized crime, hosted by Mauritius in cooperation with UNODC from 25 to 27 October 2004. Outside the conference hall, consultations were held with UNODC officials on the setting of a new date for the Arab regional symposium on counter-terrorism, following the postponement of the September 2004 date for organizational reasons. UNODC was recently informed that the League was willing to hold the symposium at its headquarters in Cairo on 16 and 17 February 2005 in cooperation with UNODC and with the participation of United Nations counter-terrorism experts.

10. The League of Arab States continued its observation and monitoring of measures adopted in Arab States to implement the United Nations resolutions, in particular Security Council resolutions 1373 (2001) and 1566 (2004), on counter-terrorism. In that connection, the Council of Arab Ministers of Justice, in its decision 551 of 29 November 2004, called upon member States that had not yet ratified or acceded to the international instruments on terrorism to do so. The League also collected the responses received from a number of Arab States on accession to those instruments, on bringing their national legislation into line with them and on the steps they had taken to prevent terrorists from acquiring weapons of mass destruction. It also collected their answers to the United Nations questionnaire on the relationship between terrorism and other forms of crime, the legislative steps they had taken on combating money-laundering and drying up the resources of terrorism and other measures coming under the implementation of resolution 1373 (2001). The League has prepared a document on that subject that will be transmitted to the Counter-Terrorism Committee.

11. Within the framework of the League of Arab States and with the support of the International Institute for Higher Studies in Criminal Sciences, in Siracusa, Italy, an Arab panel of experts prepared, under the supervision of the President of the Institute, a draft Arab model law on international cooperation in criminal matters which was distributed to the member States preliminary to its review by a committee composed of experts and representatives of the Arab States. The purpose of the model is to assist Arab States in putting in place laws or developing existing ones relating to international cooperation in criminal matters, especially on combating terrorism and transnational organized crime.

12. The Counter-Terrorism Committee has received the report of the League of Arab States on the League's efforts in the field of counter-terrorism, circulated as document S/2004/343 of 30 April 2004.

13. Preparations are under way for the participation of the League of Arab States, with a delegation headed by its Secretary-General, in the International Counter-terrorism Conference to be hosted by Saudi Arabia from 5 to 8 February 2005.

Prepared by the Department of Legal Affairs of the General Secretariat of the League of Arab States - focal point for contact with the Counter-Terrorism Committee.

S/2005/87

A report on the efforts of the Arab Interior Ministers Council in the field of combating terrorism, presented to the Committee against Terrorism formed by the Security Council Resolution Number 1373 (2001)

[Original: English]

Terrorism has always been a security concern for the Arab Interior Ministers Council ever since it emerged as a phenomenon which is alien to our religious teachings and original Arab traditions. Endeavoring to besiege this phenomenon and eliminate it, the Council adopted numerous measures and procedures varying from holding conferences and meetings, putting forth agreements and strategies, devising periodic standard plans, and gathering all terrorism control legislation and conventions and disseminating them to all the Arab member states to benefit from them, in addition to putting guiding rules and terrorism databases, coordinating the pursuit operations of terrorists to prosecute them and spreading the awareness on dangers of terrorism. Further, the council is very keen on promoting cooperation with Arab and international organizations and entities interested in fighting terrorism. This is a briefing on the efforts of the council in these various fields.

In the field of holding conferences and meetings:

Within the context of the Secretariat General of the Council, an annual conference for the officials responsible for fighting terrorism is held since 1998. Hence, the seventh conference was held in July 2004. These meetings represent occasions for exchanging expertise and knowledge among those officials responsible for fighting terrorism in the Arab states, and occasions to discuss the various aspects of this phenomenon and recommend suitable solutions thereof.

Before organizing these conferences, the Secretariat General had devoted the third meeting of the New Crimes Committee in 1995, which is an experts committee that convenes every year to discuss [illegible] of the new criminal phenomena and suggest the appropriate solutions, to discuss the terrorism crimes. The sixth meeting of the committee in 1998, moreover, was devoted to discuss the crimes of violence in their modern forms and the methods of facing them. Before all that, however, the First meeting of the Organized Crimes Control Committee in 1987, which was later substituted with the New Crimes Committee, tackled the issue of terrorism.

In the field of agreements, strategies and periodic plans, The Council achieved the following accomplishments in this regard:

1. The Code of Conduct for the Member States in the Arab Interior Ministers Council Against Terrorism. The Council accredited this code of conduct in 1996, according to which the member states asserted their commitment not to wage, not to carryout, take action in or participate in any terrorist acts in any way or manner, and not to allow their lands to be used as a theater for planning or executing such acts. They also committed themselves to tighten the noose on all terrorist elements and prevent them from infiltrating across their borders or residing on their land. The code of conduct also prohibits any member state to receive, shelter, train, arm or fund elements of terrorism and sabotage. All the Arab states also came to a consensus on the significance and necessity of providing mutual assistance in all detection and investigation procedures and in apprehending absconding suspects or convicts of terrorist crimes. Additionally, the code of conduct called upon the member states to coordinate their border monitoring operations, and the crossings in between, to prevent the transfer or use of weapons, ammunition and explosives for illegal purposes.

2. The Arab Strategy Against Terrorism and its periodic plans.
The Council accredited this Strategy in 1997. It encompassed a set of principles, goals and objectives which aim at coordinating the terrorism control efforts in the Arab states, and promoting the cooperation with the international community in this field. The Arab Office for Criminal Police which affiliates to the Secretariat General of the Council follows up on the implementation of this strategy by the Arab states and preparing an annual report on this matter that is presented to the Council in its normal session. Out of its eagerness to make this strategy a tangible reality, the Council accredited in 1998 the first three-year Periodic Plan to implement this strategy, which encompassed a set of executive programs to be implemented by the Secretariat General (the administrative and technical body of the Council) and the Naif Arab University for Security Studies (the scientific body of the Council).

Upon the completion of the plan and implementing all its programs, the Council accredited in 2001, a second three-year periodic plan for the years 2001-2003, which was fully implemented by the end of year 2003. A meeting for an action team convened in October 2003

and put forth a third three-year plan that was presented in the twenty-first session of the Council in Tunis from 4-6 January 2004 , which approved it.

3. The Arab Convention Against Terrorism: Expressing the desire of the Arab states to promote their mutual cooperation in fighting terrorism, this convention was signed in a joint meeting of the two Councils of Arab Ministers of Interior and Justice in Cairo in April 1998. The two Councils tasked a joint ministerial committee headed by his Royal Highness prince Naif Bin Abdel Aziz, the Minister of Interior of the Kingdom of Saudi Arabia and the Honorary Chairman of the Arab Interior Ministers Council, with putting forth the executive models and procedures of the convention. The Committee accredited these procedures and models in a meeting held in Tunis on May 3rd, 2000, and tasked the Arab Office for Criminal Police to follow on the implementation of the convention by the Arab states and prepare an annual report on this matter to be presented for the two councils in the normal session of each. The Office was also tasked with following up the executive models and procedures with the member states and assess them upon the fifth year of having been into force at the beginning of year 2003.

In the field of gathering Anti-Terrorism Regulations and Conventions.

Within the framework of implementing the First and Second Periodic Plans of the Arab Strategy Against Terrorism, the Secretariat General tasked the Arab Office for Criminal Police of the following:

Gathering the Anti-terrorism regulations of the member states and disseminating them to all Ministries of Interior in the Arab States for benefiting from them.

Gathering all bi-lateral and multi-lateral conventions against terrorism and disseminating them to the member states.

Therefore, the Office gathered many of these regulations and conventions in the Arab states, be them specifically designed to combat terrorism, or if they tackle this issue among other security concerns. These were also disseminated to all Arab states to benefit from them.

In the field of Guiding Laws:

Out of the Council's eagerness to provide legal guiding frameworks for the Arab states to use in devising or amending their anti-terrorism regulations, it ratified in year 2002 two guiding Model Laws which were disseminated to all member states to benefit from them. These Laws were:

- The Arab Model Law Against Terrorism.
- The Arab Model Law on Weapons, Ammunition, Explosives and Dangerous Substances.

In the field of Model Plans:

In the framework of implementing the two periodic plans of the Arab Strategy Against Terrorism, the Secretariat General devised a set of model plans to face this phenomenon with all its various aspects. These model plans were disseminated to the member states to benefit from them. They are:

- Two model plans to face terrorist acts: one emphasized the legal aspects and the second emphasized the field and practical aspects (2000).
- A model plan to face plane hi-jacking and freeing hostages (2001).
- A model plan to face terrorist acts in transportation means (2002).
- A model plan to protect the public facilities against acts of riot (2002).
- An Arab Security plan to face terrorist acts on board ships and vessels (2003).

In the field of pursuing terrorists:

The Arab Office for Criminal Police does the following:

- Activating the cooperation among the Arab states in the search for, detect and apprehend absconding persons who committed terrorists crimes.
- Coordinating among the Arab states in the field of exchanging expertise and information on terrorist cases.
- Receiving and disseminating search and stop the search warrants for absconding persons, be them suspects or convicts of terrorist crimes.
- Developing the data-base on the terrorist phenomenon in all forms and shapes, and providing the Arab security agencies with the available information and with all new developments in this field.
- Regularly revising and disseminating the Black List of Terrorists on all member states.

In the field of information awareness against terrorism.

The Council pays great attention to the information awareness aspect of combating terrorism due to the significant role it plays in facing this dangerous phenomenon. Hence, the Council adopted a set of procedures including:

1. Devising awareness plans.

Within the context of implementing the Arab Information Plan for Security Awareness and Crime Prevention which stemmed out of the Arab Strategy for Security Awareness and Crime Prevention, and other periodic plans endorsed by the Council, and within the framework of the Secretary General, the following information awareness plans were devised and disseminated to the member states to benefit from them:

- An Awareness plan to assert the basic principles of Islam and correct the wrong principles preached for by those who call for violence and extremism (1992).
- An Arab Information Awareness Plan and Crime Prevention (1998).
- A Comprehensive Arab Information Plan to raise the Awareness of the Arab citizens against the dangers of terrorism and immunize them with the spiritual, moral and educational values (1999).
- A Comprehensive Model Information Plan to raise the awareness of the Arab citizen against the dangers of terrorism (2000).

2. Producing awareness raising films.

Within the context of the Arab Office for Security Information which affiliates to the Secretariat General, the following films were produced to warn against the dangers of terrorism and urge the citizens to cooperate with the security agencies in combating it.

- A film on the dangers of terrorism on the security and stability of the Arab World (1998).
- A Film on the dangers of terrorism on the Security and stability of the Arab World to urge the citizens to cooperate with the policemen against terrorism (1999).
- A film on raising the awareness of the Arab citizens on the importance of their role and the dimensions of their responsibility in the field of facing terrorism and acts of violence (2001).

3. Issuing press releases.

The Secretariat General coped with the various terrorist events which took place in the world via issuing press releases which define and clarify the position of the Council from these events and from the terrorism phenomenon in general. This position entails condemning and deploring all acts of terrorism regardless of

NATO'S CONTRIBUTION TO THE FIGHT AGAINST TERRORISM

NATO welcomes the opportunity to participate in the 4th Special Meeting of the UN Counter-Terrorism Committee with international, regional and sub-regional organisations.

Since 11 September 2001, the Alliance has consistently shown a strong determination to play an important part in the fight against terrorism. At the Istanbul Summit, June 2004, Allied Heads of State and Government reiterated their commitment to combat terrorism in all its forms, in accordance with international law and UN principles. The Alliance's approach to terrorism and its causes includes the full implementation of United Nations Security Council Resolution 1373 on the fight against terrorism, and will continue to be multi-faceted and comprehensive, including political, diplomatic, economic and, where necessary, military means.

The main elements of NATO's contribution are:

Political Consultations. Terrorism is a standing item on the agendas of meetings of the North Atlantic Council and the Euro-Atlantic Partnership Council meetings. Regular consultations on terrorism among Allies and with partners and other international organisations constitute an important tool in enhancing the Alliance's contribution to the international community's fight against terrorism. Such consultations help develop and promulgate common views on challenges and responses. Strong Allied and Partner unity against terrorism is an important political signal and a key element of our strategy.

Intelligence Sharing. Effective intelligence is required for a common understanding of the risks and threats posed by terrorism and the appropriate responses to them. Enhancing intelligence sharing is a clear priority within the Alliance and with Partners. A newly created Terrorist Threat Intelligence Unit draws on civilian and military intelligence resources, from both NATO and partner countries, to provide the required assessments to the North Atlantic Council and to NATO staffs. In addition, we are engaged in a broader review of our intelligence structures.

Concepts and policies. Nearly all Alliance policies and doctrines have been reviewed in the light of the threat posed by terrorism. A Military Concept for Defence against Terrorism, agreed at the NATO Summit in Prague in 2002, is a key element in our conceptual approach and relevant operational activities.

With the approval of the Concept, defence against terrorism became an integral part of the missions of the Alliance's forces. The concept sets out the potential contribution, which the Alliance's military forces can make in this context, and enables them to prepare for their operational roles.

According to the Concept, defence against terrorism includes activities by military forces, based on decisions by the North Atlantic Council, to help deter, defend, disrupt and protect against terrorist attacks, or threats of attacks, directed from abroad, against populations, territory, infrastructures and forces, including by acting against these terrorists and those who harbour them. The Concept envisages that forces can be deployed when and where necessary, on the basis of a NAC decision. The Concept also foresees the possibility of military action, if requested or if authorised by the UNSC, in support of or as part of the international community's efforts including in the framework of crisis response operations.

Operations. With its integrated military structure, its highly developed capacity for operational planning and its procedures for calling on a wide range of North American and European military

assets and capabilities, NATO is capable of mounting significant multinational military operations, including those relevant to the fight against terrorism.

Operation Active Endeavour (OAE), launched in October 2001 in the context of the invocation of Article 5 of the North Atlantic Treaty after the attacks on the United States, began with the patrolling of the eastern Mediterranean and monitoring of merchant shipping. In February 2003 the operation was extended to include the escorting of civilian shipping through the Straits of Gibraltar and compliant boardings of suspicious vessels. A comprehensive review of the operation was completed in March 2004 resulting, inter alia, in the expansion of the Area of Operations to the whole of the Mediterranean. At the NATO Summit in Istanbul in June of last year, Allies agreed to further enhance the contribution of OAE to the fight against terrorism including through the support of partner countries. Following Russia and Ukraine's expression of interest in supporting the operation, the modalities of their contribution are currently being worked out. NATO Foreign Ministers on 9 December appreciated the interest of several Mediterranean partners in supporting OAE.

NATO operations in the Balkans and Afghanistan are helping to create conditions so that terrorism cannot flourish in these regions. NATO also provides support to Allied countries holding selected high level meetings and events. In this respect, the Alliance has provided support to meetings such as NATO and EU Summits, but also to the 2004 Olympic Games in Athens with airborne early warning support and the deployment of elements of NATO's CBRN Defence Battalion.

Protection of Civilian Populations: Allies and Partners are working together to improve civil preparedness against possible terrorist attacks including with chemical, biological, nuclear and radiological agents. For this area of activity, updated political guidance for the coming two years was endorsed by NATO Foreign Ministers at their meeting on 9 December 2004. This guidance document emphasises civil-military cooperation and partnership, including with other international organisations. Allies and Partners also agreed to put together, by April 2005, a revised and updated Civil Emergency Planning Action Plan to improve civil preparedness against possible terrorist attacks.

Defence against WMD: Five key initiatives are being developed in the area of protection against nuclear, biological and chemical weapons. In this context, a NATO CBRN Defence Battalion has been established to respond to and manage the consequences of the use of Weapons of Mass Destruction, especially against Alliance deployed forces. This battalion became fully operational in June 2004.

Capabilities: Improved military capabilities, some of which are directly relevant to defence against terrorism, are being sought through the Prague Capabilities Commitment launched at NATO's November 2002 Summit, the NATO Response Force and the new military command structure. In addition, NATO's Conference of National Armaments Directors has an ambitious programme of work for defence against terrorism which includes the protection of large-bodied aircraft against man-portable air defence systems (MANPADS) and the protection of harbours.

Co-operation with Partners and other International Organisations: The Alliance is seeking across the board to intensify its contacts with nations beyond the Alliance and with other international organisations to ensure greater unity and coherence in the fight against terrorism. More specifically:

These are: A deployable nuclear, chemical and biological (NBC) analytical laboratory; an NBC event response team; a virtual centre of excellence for NBC weapons defence; a NATO biological and chemical defence stockpile; and a disease surveillance system.

- The 9/11 attacks on the US and the common challenge of terrorism have led to closer co-operation between NATO and its Partners in the Euro-Atlantic Partnership Council. The Partnership Action Plan against Terrorism (PAP-T), adopted at the 2002 Prague Summit and reviewed at last year's Istanbul Summit, remains the main platform for joint efforts by Allies and Partners in the fight against terrorism. Improved co-operation with other international organisations, including the UN and in particular the UN-CTC, is considered an important element of the enhanced implementation of the PAP-T. In addition, NATO's seven Mediterranean Dialogue partners participate in activities under the PAP-T on a case-by-case basis.

- The NATO-Russia Council, launched in May 2002, identifies terrorism as one of the key areas for NATO-Russia consultation and practical co-operation. At the 9 December 2004 meeting of the NATO-Russia Council, Ministers of Foreign Affairs reiterated their solidarity in the face of the terrorist threat and their determination to strengthen co-operation in preventing, combating and managing the consequences of terrorist acts. Deciding that the NRC could and should make an even more direct and substantial contribution to this global struggle, they approved a comprehensive NRC Action Plan on Terrorism. NRC co-operation in this field seeks to complement and enhance other efforts underway in the United Nations with a view to providing added value and avoiding duplication of efforts, and supports UNSCRs 1368, 1373, 1540, 1566, and all other relevant resolutions. Also on 9 December, an agreement on the modalities of Russian contribution to NATO Operation Active Endeavour was also signed, aiming at further enhancing NATO-Russia co-operation against terrorism, and at developing interoperability between NATO and Russian military forces in an operational context.

- NATO is also seeking to deepen its consultations and co-operation on terrorism with the UN, the OSCE, the EU and other relevant international organisations. The new threats respect no borders. In order to fight these transnational threats effectively, there is no alternative to deeper international cooperation, including, crucially, between international organisations. NATO is keen to reinforce its relations with other international organisations so that information is shared and appropriate co-operation pursued more effectively in our common fight against terrorism and other threats and challenges. The Alliance and the European Union are committed to deepening their cooperation in these and other areas. NATO contributes actively to the work of the United Nations Counter Terrorism Committee, and works closely with other UN bodies, including in the Balkans. There are regular consultations between the Alliance and the Organisation for Security and Co-operation in Europe (OSCE). And NATO works together with EUROCONTROL, the International Civil Aviation Organization (ICAO) and the International Air Transport Association (IATA) to improve civil-military co-ordination in air traffic control. In addition, NATO has been working closely with the International Maritime Organisation (IMO).

- Finally, NATO is also improving measures to protect its computer networks against terrorist or other attacks; addressing financial aspects of terrorism; and developing relevant forms of co-operation in the scientific field.

Combating the Financing of Terrorism

NATO is committed to support and facilitate information exchange on the financing of terrorism as a building block for the development of policies and actions to combat this scourge. A conference on "Financial and Economic Aspects of the Fight against Terrorism" took place in Rome on 14-15 October 2004 in the framework of the Partnership Action Plan against Terrorism. The conference brought together some 140 participants from 39 countries, including experts from government administrations, parliaments, the private sector and academia. Several international organisations such as the OSCE, IMF, UNODC and Europol were represented. This integrated and interdisciplinary approach ensured highly interesting and practically oriented exchanges, opening excellent perspectives for follow-up work.

Indeed, the fight against terrorist financing needs to remain high on the agenda of the international community. Funding patterns reveal a broad diversity at the regional and micro-economic level, and these patterns change constantly in response to the various counter-measures adopted. The blocking and seizing of funds reduces the operational opportunities for terrorist networks, and compels them to take more risks in order to find alternative funding methods. Tracking the money helps track the terrorist themselves.

The fight against the financing of terrorism will only be successful if there is the fullest possible cooperation at national and international levels. It is crucial not to permit a safe haven for terrorists. This refers in particular to failed states but also to local safe havens, such as NGOs, places of worship, charities and businesses misused for the support of terrorist activities. Considerable educational and technical assistance has to be provided to less developed countries in order for them to be able to implement international standards. Synergies between international organisations should be exploited, taking into account each organisation's individual potential. Furthermore, well-functioning public-private partnerships are key to success. The banking sector has a crucial role to play in this regard. Optimal ways of co-operation need to be developed since banks have to play a critical frontline role in preventing terrorist financing.

Border Security

The rapid evolution of the security environment, combined with the changing nature of the threats and challenges to security and stability, has placed a new accent on border related issues. Border security has become an important tool against transnational threats, including terrorism.

NATO has been involved in Border Security/ Management related issues in various ways since 1998, contributing to regional and broader international stability. In this context, NATO has undertaken several assessment visits together with national experts. Its operational forces in the Balkans also have border related duties (KFOR still has a support role for the UNMIK border unit).

In 2003, aware of the importance of co-operation with other international organisations active in this field, NATO took the initiative to launch the Ohrid Border Security and Management Conference in co-operation with the OSCE and the EU. The overall purpose of the conference was to promote enhanced co-operation and co-ordination in border security and border management in the five Western Balkans countries (Albania, Former Yugoslav Republic of Macedonia[1], Croatia, Bosnia-Herzegovina, and Serbia and Montenegro). A Common Platform setting out goals, objectives, principles and instruments as guidelines for the partner organisations and the countries of the region was established as a basis for further work in this area. All participants in the Ohrid Conference share the common goal of creating open but secure borders in the context of a vision of integration into Euro-Atlantic structures. The international organisations involved, with a strategic interest and a proven track record on border security in the region, saw potentially a greater impact through a concerted action than through each organisation's individual actions.

As NATO is according more attention to the Southern Caucasus and Central Asia, new multilateral co-operative initiatives on border issues have been envisaged. To these, NATO could contribute with its political weight and well established mechanisms in the Euro-Atlantic area such as the PfP Planning and Review Process (PARP), the support of the Partnership Action Plan on Terrorism, the capacity to muster the resources of Allied countries, assessment and intelligence expertise, expertise in preventing smuggling, experience in the field of SALW trafficking, and training and educational capabilities. In the context of the Planning and Review Process (PARP), NATO has developed a number of Partnership Goals relating to the organisation, training and equipment of border forces. These are being addressed to PARP participants that seek planning targets to assist

[1] Turkey recognises the Republic of Macedonia with its constitutional name.

in developing greater capabilities in the field of border security. The targets are tailored to their specific requirements.

Furthermore, NATO is organising and supporting a series of conferences (in Azerbaijan and in Uzbekistan) to increase partners familiarisation with integrated border management issues and to look at border guard training issues.

The Security through Science Programme has sponsored in-depth studies on the development of border security standards.

Finally, NATO is in the process of drawing up a single NATO policy/concept document on Border Security.

Concerning WMD, special attention has been devoted to export control and detection technologies in the field of civil emergency planning, and to the facilitation of border crossing arrangements for relevant personnel and equipment during emergencies.

Conclusion

Continuing terrorist acts are constant reminders that more needs to be done to address this scourge. NATO's fight against terrorism is multi-faceted and comprehensive. NATO will continue to work with its partners and deepen its co-operation with the UN, the EU and other relevant organisations. But already through a series of far- reaching measures which include conceptual tools and operations, the Alliance is providing an essential transatlantic dimension to the response to terrorism, which requires the closest possible co-operation of North America and Europe. It will remain at the top of the Alliance's agenda for as long as necessary.

18. Offshore Group of Banking Supervisors

REPORT TO THE UNITED NATIONS COUNTER-TERRORISM COMMITTEE FROM THE OFFSHORE GROUP OF BANKING SUPERVISORS (OGBS)

The following is an update of the reports submitted by OGBS to the Counter Terrorism Committee in February and August 2003 and in March 2004.

1. Information on counter terrorism activities undertaken by OGBS member jurisdictions is obtained on an annual basis. The results of the latest review of members activities were presented at the OGBS Plenary meeting held in September in Madrid. (A separate note detailing these activities will be provided to the CTC Secretariat)

2. OGBS members are in the process of implementing their endorsement of the Revised FATF Forty Recommendations on Money Laundering and the Nine Special Recommendations on Combating the Financing of Terrorism.

3. OGBS actively participates in the FATF Working Group on Terrorist Financing.

4. OGBS actively participates in the FATF Working Group on the Evaluation and Implementation of the FATF Forty Plus Nine Recommendations.

5. OGBS is joining with the FATF, IMF, World Bank and the FATF style regional bodies of CFATF, APG, ESAAMLG and GAFISUD in undertaking a programme of assessment of compliance with the FATF Forty Plus Nine Recommendations.

6. OGBS is supporting the IMF programme of OFC/FSAP assessments which incorporate an assessment of AML/CFT compliance.

7. OGBS participated in the UN Counter-Terrorism Committee Meeting which took place in Vienna in March 2004; in the meeting of the UN Commission on Crime Prevention and Criminal Justice held in Vienna in May 2004; and in the UN Conference of the Parties to the UN Convention against Transnational Organised Crime held in Vienna at the end of June 2004.

8. OGBS is participating in the Interpol Working Group on Money Laundering and Terrorism Financing.

Review of Counter-Terrorism Activities as at July 2004

Information on Counter-Terrorism activities is obtained from OGBS members on an annual basis. A report compiled from information supplied by members for the OGBS Plenary meeting held in July 2003 in Mauritius was sent to the Counter-Terrorism Committee in August 2003. A further review of members activities in combating the financing of terrorism was supplied by members for the OGBS Plenary meeting held in September 2004 in Madrid.

The latest information supplied by members is set out as follows. The information was provided in response to the question "What action, if any, has been taken in the past twelve months, or is in prospect, to enhance compliance with the Eight Special Recommendations of the FATF on combating the financing of terrorism?"

Aruba

The State Ordinance on the Supervision of Money Transfer Companies (SOSMTC) became effective on August 12, 2003 while the Sanction Ordinance is presently being revised.

A State Decree was implemented in 2003 requiring the designated financial service providers (including banks) to report all transactions possibly related to the financing of terrorism to the Aruban Financial Intelligence Unit.

Bahamas

A comprehensive Terrorism Bill was placed before Parliament during the second half of 2003 to address the Eight Special Recommendations of the FATF. Due to constitutional queries regarding the Bill, it was pulled back to Cabinet for further review and amendment. Once enacted the law should remedy those areas where based on the review of the Bahamas responses to terrorism in the Self-Assessment Survey completed in 2002 the FATF found partial compliance with six of the Eight Special Recommendations, non-compliance with one and the non-applicability of one recommendation. In addition to formally criminalising terrorism and making it a predicate crime under the anti-money laundering regime, the law will provide for the seizure and confiscation of terrorist assets; reporting of suspicious transactions relating to terrorist financing; and strengthening of existing mechanisms for cooperation in this regard between The Bahamas and other countries.

Bahrain

The BMA has reviewed its AML/CFT regulations of October 2001 to take account of the June 2003 Revised FATF Forty Recommendations. A consultation paper was issued in June 2004 and the target implementation is end 2004. The BMA continues to run a programme of compliance examinations to verify banks AML/CFT measures.

Barbados

Barbados is fully compliant with all Recommendations and proposes to incorporate all emerging international standards in its KYC guidelines.

Bermuda

The Terrorism (United Nations Measures) (Overseas Territories) Order 2001 was extended to Bermuda by the United Kingdom. All banks were asked to treat suspicions of terrorism financing activity as fully covered by the Proceeds of Crime Act requirements in the interim pending new legislation. All banks are proactively alerted to the lists of suspects and asked to check customer databases. To date, no suspicious transactions have been identified. Government is now preparing new primary legislation, the Anti-Terrorism (Financial and Other Measures) Act, due to be introduced into Parliament in the Autumn 2004.

Cayman Islands

In September, 2003 amendments were made to the Guidance Notes recommending to financial service providers, when dealing with associations not for profit (including charities), to require additional information of the nature of the business, and to carry out the appropriate background checks.

Amendments were also made to the Guidance Notes to require financial service providers to obtain additional information on the originator of a wire transfer, and that effective procedures should be in place to identify wire transfers lacking complete information.

Cyprus

Legal and administrative measures taken in Cyprus for combating the financing of terrorism are in full compliance with the Eight Special Recommendations of the FATF.

Gibraltar

Gibraltar has transposed the relevant UN resolutions in respect of terrorism and the UN Al-Qaida and Taliban Resolutions. The implementing orders are available on the Financial Services Commission website (www.fsc.gi) as well as the lists of named suspects in connection with terrorist groups and organizations.

Another recent development which the Financial Services Commission is working on is to introduce legislation to regulate and supervise money transmission services.

Amendments to the Anti-Money Laundering Guidance Notes are in the consultation stages to further enhance compliance with Special Recommendation VII (Wire Transfers).

Moreover the Financial Services Commission has been in close contact with the financial services industry in Gibraltar informing of developments and reminding institutions to be vigilant in respect of terrorist financing. Furthermore the Financial Services Commission carried out a self assessment in relation to measures adopted to implement the FATF Special Recommendations on terrorist financing and relevant UN resolutions. The results of this self-assessment are available on the Gibraltar website.

Guernsey

The Guernsey Financial Services Commission put out for consultation proposed amendments to the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Regulations and the Guidance Notes on the Prevention of Money Laundering and Countering the Financing of Terrorism. The vast majority of the changes will enable the

Bailiwick to comply with current standards set by the International Monetary Fund and the Financial Action Task Force following the recent assessment by the IMF.

In addition, a proposed change has been made to the Regulations to make the electronic holding of records easier for financial institutions. Other changes deal with the provision of hold mail services and technical issues raised by the Law Officers' Chambers and the Financial Intelligence Service.

Also, the Association of Guernsey Banks, in conjunction with the Guernsey Financial Services Commission, the States of Guernsey and Financial Intelligence Service issued a new explanatory leaflet called "Fighting Crime and Terrorism: We Need Your Help". This leaflet is issued to customers of local banks opening new accounts or where banks are updating their individual customer records.

Hong Kong

In June 2004 the Hong Kong Monetary Authority issued a revised supplement to the Guideline on the Prevention of Money Laundering ("Supplement") together with its accompanying Interpretative Notes. The supplement sets out the latest "Know your Customer" principles, taking account of the requirements of the paper on "Customer Due Diligence for Banks" issued by the Basel Committee on Banking Supervision in October 2001 and the Revised Forty Recommendations issued by the Financial Action Task Force on Money Laundering (FATF) in June 2003. It covers not only the account opening process for various types of new customers, such as individuals, companies, trust and nominee accounts, introduced customers, non face to face customers, correspondent banks and politically exposed persons, but also the ongoing monitoring process for existing customers. It also incorporates the latest requirements relating to terrorist financing (such as the FATF Special Recommendation VII with respect to cross-border wire transfers).

The Interpretative Notes have been developed, in collaboration with the banking industry, to provide practical guidance on implementing the requirements of the Supplement and explain the use of a risk based approach in various due diligence processes.

The Hong Kong Monetary Authority expects all authorised institutions to review and revise their policies of procedures on prevention of money laundering and terrorist financing so as to comply with the new requirements stipulated in the supplementary guideline as soon as possible, and by no later than 31 December 2004. Failure to adhere to such requirements will be taken seriously and may result in supervisory action being taken.

The Hong Kong Monetary Authority also issues circulars, from time to time, to alert all authorised institutions to the latest list of terrorist suspects designated by the United Nations Securities Council Committee and the US Government.

Moreover, the United Nations (Anti-Terrorism Measures) (Amendment) Bill 2003 has been enacted on July 2004. This helps implement, among others, the requirements of the United Nations Security Council Resolution 1373, the FATF Special Recommendation III to freeze non-fund property of terrorists and terrorist organizations, and other international Conventions against terrorism (such as the Bombings Convention, the Maritime Safety Convention and the Protocol).

Isle of Man

Introduction of the Anti-Terrorism Crime Act 2003 encompasses and reinforces the principles of the Eight Special Recommendations of the FATF on combating the financing of terrorism.

Jersey

The Terrorism (Jersey) Law 2002 was brought into force on 1 September 2003 and the British Government was requested to extend the UK's ratification of the 1999 UN International Convention for the Suppression of the Financing of Terrorism to include Jersey.

Legislation has been drafted which, subject to further consultation and parliamentary approval, will provide for oversight of money services businesses (bureau de change, money transmitters, and cheque cashers).

The Island's authorities have resolved to enact provisions in domestic law which correspond to the provisions and the timescale for implementation of the EU Regulation implementing Special Recommendation VII.

The Law Commission of Jersey has published a consultation paper on charities which has addressed, which has addressed oversight arrangements. The Law Commission is expected to consult further on oversight of charities in the second half of 2004.

Labuan Malaysia

Malaysia is committed to criminalise the financing of terrorism required under the UN Convention for the Suppression of Financing of Terrorism. To enable Malaysia to accede to it, new legislative provisions were incorporated into the following legislation:

Penal Code
Criminal Procedure Code
Subordinate Courts Act 1948
Courts of Judicature Acts 1964
Anti-Money Laundering Act 2001 (AMLA)

The new legislative provisions to freeze, seize and forfeit terrorist properties were incorporated into the AMLA. The amendments to the Penal Code and the AMLA have been passed by the Parliament on 20 November 2003 and gazetted as law on 25 December 2003. The amended Acts will come into force at the same time as the amendments to the Criminal Procedure Code, Subordinate Courts Act 1948 and the Courts of Judicature Acts 1964 which are scheduled to be tabled at the next Parliamentary session. Malaysia is committed to work cooperatively with other countries to improve the ability to detect and target cash movements to facilitate money laundering and terrorist financing.

Macao China

In addition to the special law for anti-money laundering, Macao has also drafted a new law for combating terrorism that is aimed at supplementing the Penal Code and the law against organised crime. It will also cover penalty on legal persons, 1) pblication of terrorist financing and concealment of terrorist assets as individual offences as well as specific procedures for penal prosecutions.

Mauritius

All the principles set out in the Eight Special Recommendations for the FATF on Combating the Financing of Terrorism have been taken on board on the Guidance Notes and Money Laundering and Combating of the Financing of Terrorism issued by the Bank of Mauritius to institutions falling under its jurisdiction. The Guidance Notes are in full force and effect since January 2004.

Further, the Convention for the Suppression of the Financing of Terrorism Act 2003 which has been enacted to give force of law to the International Convention for the Suppression of the Financing of Terrorism and to provide for matters ancillary thereto came into force on 22 November 2003.

The Mutual Assistance in Criminal and Related Matters Act 2003 the object of which is to enable the widest possible measure of international cooperation to be given and received by the Republic of Mauritius promptly and to the fullest extent possible, in investigations, prosecutions or proceedings concerning serious offences and related civil matters, also came into force on 15 November 2003.

Netherlands Antilles

Indicators to report transactions relating to terrorist financing to the Unusual Transaction Reporting Centre (the FIU) have been adopted.

Panama

Approval of Law No 50 July 2 2003 published in Official Gazette no 24838 of July 7 2003 by virtue of which Chapter VI, on terrorism, is added to title VII of Book II of the Criminal Code of Panama.

The Law defines the crimes of terrorism and financing of terrorism and typifies them as autonomous crimes in the Panamanian legislation.

It establishes the obligation for the non-profit organizations to have a control of funds received, generated or transferred, and to maintain a detailed registry of all operations or financial transactions or donations which justify their origin or nature.

Approval of Executive Decree No 78 of June 5 2003 published in the Official Gazette no 24820 which changes the name of the Financial Analysis Unit (FAU) to Financial Analysis Unit for the Prevention of Money Laundering and the Financing of Terrorism, and sets forth the new duties with respect to activities related to financing of terrorism prevention.

Executive Decree No 77 of June 5 2003 published in the Official Gazette 24820 by which the name of High Level Presidential Commission on Money Laundering Prevention changed to "High Level Presidential Commission on Money Laundering Prevention and Financing of Terrorism Prevention".

Law no 42 of June 26 2003 published in Official Gazette no 24831 of June 26 2003 regulates the operations of money remittance companies. The Law defines that money remittance companies are those natural or legal persons which provide a service for the transmission of money through money transfers or any funds transfers, funds compensation or by virtue of any other means, inside and outside the country of Panama.

To implement Special Recommendation VIII for Non-Profit Organisations the Ministry of Government and Justice is working on a regulation that prevents the illegal use of non-profit organisation that includes identification of the donor and the origin of the donations, the verification of the financial information, collaboration and cooperation with the Financial Analysis Unit in the exercises of its competence at its request or by own initiative of any information they have.

Executive Decree No 59 (of 16 June 2004) modifies article 25 of Executive Decree 131 of 13 June 2001 adding to the organic structure of the Ministry of Foreign Affairs, the Department of Analysis and Study against Terrorist Activities and Related Subjects, within the General Administration of Organisms and International Conferences.

Law No 23 of July 7 2004 published in Official Gazette no 25095 of July 16 2004 approves the UN Palermo Convention Against Transnational Organised Crime; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organised Crime; the Protocol against the Smuggling of Migrants by Land, Air and Sea, supplementing the United Nations Convention against Transnational Organised Crime; the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organised Crime.

In representation of the Government of Panama, its personnel constantly assist in seminars, conferences and congresses, among others, as part of the training and updating process, in the field of countering the financing of terrorism.

Singapore

Singapore has implemented six out of the seven assessable Special Recommendations (compliance of Special Recommendation VIII on Non-Profit Organisations is not assessable). All requisite measures have been put in place prior to the last twelve months. The Monetary Authority of Singapore is awaiting resolution by FATF of the issue of the de minimis threshold before implementing Special Recommendation VII on Wire Transfers.

Vanuatu

A Bill to amend the Financial Transactions Reporting Act to include the FATF Revised Forty Recommendations is before Parliament. Also before Parliament is a Bill of the Counter-Terrorism Act. The Bill implements the requirements under various anti-terrorism conventions and protocols, including the International Convention for the Suppression of the Financing of Terrorism.

Also the Proceeds of Crime Act No 13 of 2002 and the Mutual Assistance in Criminal Matters Act No 14 of 2002 are being reviewed, with the assistance of the IMF, to ensure compliance with the FATF Recommendations on Money Laundering, and the Eight Special Recommendations on Financing of Terrorism.

General Remarks

OGBS participates actively in the FATF Working Groups including the FATF Working Group on Combating the Financing of Terrorism. The following are some points conveyed by the OGBS to the President of the FATF on a number of key issues in the continuing work programme to combat terrorist financing:

- there is a need for more effective coordination between all of the international agencies presently focussing on the subject of information exchange in combating terrorist financing;

- alternative remittance systems are difficult to licence or to supervise. They exist in all countries where there are significantly sized expatriate/immigrant communities. It is not thought that licensing alone would prevent alternative remittance systems being used by terrorists. Effective monitoring is more likely to succeed, but this would consume large amounts of resources if applied generally rather than in a targeted manner;

- there is a need to think in terms of when and where resources can be most effectively used to prevent the financing of terrorism. Scarce resources might be more effectively used by concentrating spending on the investigative resources of the law enforcement agencies rather than as a general drive to attempt to licence alternative remittance business which is often done from small shops, normally for small sums remitted by low paid expatriate workers;

- it is believed that enhanced know your customer regimes applied by banks may be a useful way to limit the use of non-profit organisations in the financing of terrorism. However, it will be important to ensure that the regulatory burden does not become so heavy that legitimate smaller local semi-official charitable organisations find it prohibitively difficult to open and operate bank accounts;

- while the quality and quantity of international cooperation is important so also is consistent feedback on current trends and information on names to look out for. One of the key requirements identified by the Offshore Group in combating terrorist financing is the need to improve on the quality of the information made available to the relevant institutions/agencies.

Chairman
Offshore Group of Banking Supervisors

19. Organization of the Black Sea Economic Cooperation

Antiterrorist Activities of the Organization of the Black Sea Economic Cooperation

Being a regional economic organization BSEC is not directly involved in peace-keeping or conflict management activities. Its main contribution to strengthening security and stability, which constitutes a decisive component of the international community's antiterrorist efforts, is made through the promotion of economic cooperation and development as well as by means of so called "soft" security measures.

To ensure the multilateral cooperation of the Member States in this sphere the meetings of Interior/Public Order Ministers are periodically convened.

At the Third Ministerial Meeting in Greece on 2 October 1998 "Agreement among the Governments of the Black Sea Economic Cooperation Participating States on Cooperation in Combating Crime, in Particular in its Organized Forms" was signed. The Agreement which came into force in 1999, cited the struggle against terrorism as number one area of cooperation of the Contracting Parties. To assist the implementation of the Agreement, the Working Group on Cooperation in Combating Crime was formed as a subsidiary organ of the BSEC.

At the Fifth Ministerial Meeting in Kyiv in March 2002 Additional Protocol to the above mentioned Agreement was signed establishing a Network of Liaison Officers with the aim to further cooperation, coordination and information exchange between the BSEC Member States in the field of combating crime.

At the Sixth Meeting of Interior/Public Order Ministers in Athens on 3 December 2004 the Second Additional Protocol to the Agreement of 1998 was signed, this time in particular on combating terrorism. Besides, the Ministers made a Joint Declaration on Combating Trafficking in Human Beings.

On 25 June 2004 in Istanbul the Special Session of the Council of the BSEC Ministers of Foreign Affairs adopted a Statement on the BSEC Contribution to Security and Stability which denounced and condemned terrorism in all its forms and manifestations and reaffirmed the Organization's commitment to continue exploring ways and means of enhancing its contribution to security and stability in the region. The Draft Background Paper for subsequent BSEC activities on this issue is now being discussed.

20. Organization for Security and Cooperation in Europe

Summary of OSCE counter-terrorism activities

The OSCE has become active in counter-terrorism issues since 2001. Being a regional arrangement under Chapter VIII of the UN Charter, the OSCE conducts its action against terrorism under the aegis of the UN.

The OSCE addresses all anti-terrorism measures and co-operation in accordance with the UN Charter and the relevant provisions of international law, international standards of human rights and, where applicable, international humanitarian law.

Comprehensive approach of the OSCE to security through activities in all three dimensions of its work: politico-military, economic and human, as also characteristic for addressing the threat of terrorism, both at the preventive stage and combating its specific ramifications.

The OSCE agenda for preventing and combating terrorism is composed of a variety of activities flowing from provisions enshrined in the relevant international, regional and sub-regional legal and political instruments. The OSCE recognizes that the international legal framework for its anti-terrorism activities is defined by the UNSCR 1373, 1267 and other terrorism related resolutions of the Security Council as well as 12 universal anti-terrorism conventions and protocols (12 UATI). The political commitments framework is comprised by decisions taken by OSCE bodies, such as the Plan of Action (Bucharest 2001) and the Charter on Preventing and Combating Terrorism (Porto 2002), as well as various specific decisions adopted by Ministerial Meetings in Maastricht (2003) and Sofia (2004) and by the OSCE Permanent Council and Forum for Security Co-operation.

Apart from decision making bodies listed above, anti-terrorism agenda is regularly discussed by participating States in the framework of the Informal Group of Friends of the Chairmanship on combating terrorism and, especially when decisions are prepared, also in the Preparatory Committee. Overall coordination of counter-terrorism support to participating States is the task of the Action against Terrorism Unit (ATU) in the OSCE Secretariat. Human rights and legislative drafting issues related to terrorism are mostly dealt with by the Office for Democratic Institutions and Human Rights (ODIHR). The Conflict Prevention Centre (CPC) coordinates 18 OSCE field missions, as well as projects and activities related to border security and management. Programs on small arms and light weapons, their export controls and stockpiles of conventional ammunition are developed and implemented in the CPC by the FSC Support Unit. Projects on combating money laundering and terrorist financing are developed by the Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA) and the police capacity-building programmes by the Strategic Police Matters Unit (SPMU). ODIHR is an OSCE Institution in Warsaw, while ATU, CPC, OCEEA and SPMU are parts of the OSCE Secretariat in Vienna.

OSCE Counter-Terrorism Action

- Participating States committed to become parties to the 12 UATI. OSCE, in close co-operation with UNODC, promotes quicker implementation of this commitment, providing, upon request, assistance in ratification and implementation of these instruments.

- OSCE works to implement its Maastricht decision on upgrading travel documents security through promoting ICAO security standards for the handling and issuance of passports, upgrading to machine readable travel documents and introducing into them biometric identifiers. This programme also includes OSCE support to the INTERPOL database of lost and stolen passports.

- Addressing the threat posed to civil aviation by MANPADS both through improved security at and around airports and by better controls over exports.

- OSCE promotes measures, including proposed in the FATF recommendations, for combating money-laundering and terrorist financing.

- A periodically updated inventory of OSCE and non-OSCE counter-terrorism capacity-building programmes serves project planners as a valuable tool of avoiding duplication and finding window(s) of need for counter-terrorism attention and assistance.

OSCE counter-terrorism developments since the First UN CTC Special Meeting with international, regional and sub-regional organizations

OSCE counter-terrorism efforts initially focused on three main areas: the ratification and implementation of the 12 universal counter-terrorism instruments, combating the financing of terrorism and the police capacity-building programmes.

After the Porto OSCE Ministerial Meeting (2002), and especially after the First Special Meeting of the UN CTC with the OSCE – in addition to the above-mentioned areas – expanded efforts to also address current and emerging terrorist threats.

OSCE developed a two-prong programme on travel document security. Firstly, in order to combat the use of counterfeit and fraudulent passports, over the last two years it organised five sub-regional workshops, involving more than a hundred experts from 26 OSCE capitals and international organisations. Secondly, based on the Maastricht (2003) Ministerial Council Decision, the OSCE, in collaboration with ICAO, hosted the first international conference on enhancing the security features of travel documents (March 2004).

The OSCE drew the attention of its participating States and international organizations to the threat shoulder-fired missiles or Man Portable Air Defense Systems (MANPADS) pose to civil aviation. In January 2004, again in collaboration with ICAO, the OSCE organised the first large-scale international meeting on countering this threat at airports. As a result, several governments undertook concrete actions to strengthen airport security.

The Forum for Security Co-operation (FSC) of the OSCE tackled another aspect of this threat – the proliferation of MANPADS – by adopting in 2003 and 2004 two decisions on export controls of such systems, which were endorsed by the 2004 OSCE Ministerial Council. The FSC has also adopted a number of other decisions on enhancing stockpile security and export controls of small arms and light weapons and conventional ammunition.

OSCE also works with the IAEA, exploring areas where the two organisations might complement efforts to strengthen safety and security of orphaned radioactive sources. The OSCE supported the Agency's efforts to recover such sources in Georgia and to review the safety of a site in Transdniestria (Moldova).

To foster timely information exchange among counter-terrorism practitioners, the OSCE established a *Counter-Terrorism Network (CTN)* in 2004, providing practical training and capacity building information to all 55 participating States.

Striving to avoid duplication of efforts and foster complementarity, the OSCE regularly inventories all OSCE and non-OSCE counter-terrorism, border security and law enforcement programmes in the region.

Building on the OSCE's record of partnership with key regional, sub-regional and international organizations in support of global counter-terrorism efforts, the OSCE hosted, in co-operation with the UNODC, the *Conference to the UN CTC Special Meeting* on 11-12 March 2004 in Vienna (the 1st Special Meeting).

In 2005, the OSCE will engage in additional anti-terrorism dimensions, including: (1) container security; (2) combating the use of the Internet for terrorist purposes; and (3) travelling by hidden passports or fraudulent

Automated Search Facility/Stolen Travel Document Database (ASF-STD). OSCE-wide workshops are planned for the first two issues in 2005. A workshop aimed at strengthening legal co-operation in criminal matters related to terrorism, in partnership with UNCTED and UNODC, will also take place in 2005. OSCE participating States also are considering ways to support the implementation of the UNSCR 1540 and to address the threat that chemical, biological, radiological and nuclear materials pose.

Summary of OSCE counter-terrorism technical assistance programmes

OSCE provides the following counter-terrorism related assistance to its participating States:

Ratification/implementation of the 12 universal anti-terrorism instruments (12 UATI)

OSCE, through ODIHR and ATU, follows up on the commitment taken by participating States in Bucharest to become parties to all 12 UATI. Reports on the progress are done periodically to OSCE decision making bodies thus sending political incentives to comply quicker with the commitment. ODIHR, in close co-operation with UNODC, assists participating States, upon their request, in drafting legislation necessary for ratification/implementation of the 12 UATI. OSCE also provides UNODC with a platform to bring its expertise in the matter to the interested States co-organising with UNODC national and sub-regional workshops, dedicated to this issue. As a result, the ratification rate of the universal instruments has risen from 60 percent three years ago to 89 percent today. As of 1 December 2004, 36 OSCE participating States (out of 56 States world-wide) are parties to all 12 UATI (Contact: Mr. Andrey Strytsenko, tel +431-51436189, andrey.strytsenko@osce.org).

Travel document security programme

Working closely with ICAO, ATU organized last March an OSCE-wide workshop in Vienna covering key travel document concerns, including adherence to ICAO standards of handling and issuance procedures, and developing technologies such as biometrics. In addition ATU has conducted five sub-regional workshops to combat the use of fraudulent travel documents. These workshops provided forum for sharing of forensic and other practical information and enhancing regional and cross-border co-operation related to the prevention of travel document abuse (Contact: Mr. Dimitar Jalnev, tel +431-51436157, dimitar.jalnev@osce.org).

Combating terrorist financing

On combating money laundering and terrorist financing (MLTF), OCEEA and the UNODC continued to support participating States in their efforts to combat MLTF, in particular through a regional Conference on "Co-operation for Anti-Money Laundering and Combating the Financing of Terrorism" held in Albania in January 2004 and a workshop on combating MLTF held in Georgia in November 2004. OSCE also promotes FATF recommendations on MLTF (Contact: Mr. Marc Balles, tel +431-51436742, marc.balles@osce.org).

Police assistance

Taking into account the terrorism – organized crime nexus, the SPMU is involved in police capacity building in requesting participating States in order to help them addressing threats posed by criminal activity and in upholding the rule of law.

In Kyrgyzstan eight technical and community projects related to long-term police reform plans, started in July 2003 are progressing well and are due for completion by July 2005. In Kazakhstan the SPMU has provided technical assistance in transition to intelligence- led policing, and has started discussions on developing new initiatives focusing on community-based policing and basic recruit training. In Armenia and Azerbaijan, Needs Assessment Missions have resulted in the formulation of specifically-designed Police Assistance Programmes for each country respectively. In Georgia, the SPMU is preparing to launch a Needs Assessment Mission designed to

ascertain the basis for a future Police Assistance Programme. (Contact: Mr. Richard Monk, tel: +431-51436264, richard.monk@osce.org)

Border Security and Management

The first phase of the regional OSCE Cross-border Co-operation Programme (OSCCP) contributed to improving border management and security related capacity building and regional co-operation between the border services of the countries of SEE. A second phase will take place in 2005. The CPC borders team carried out fact finding missions to Kazakhstan, Kyrgyzstan, Uzbekistan and Georgia, upon requests of host states, in order to identify possibilities for projects aimed at strengthening regional cross-border co-operation. A two-day capacity-building programme for border guards in Uzbekistan improved operational knowledge and skills in risk analysis and interagency co-operation. In September 2004 a joint OSCE-UNODC Technical Experts Conference on Border Security and Management issues was held, at which a large number of international organizations participated. (Contact: Mr. Karl-Heinz Horndasch, tel: + 431-51436743, Karl-Heinz.Horndasch@osce.org)

21. Organization for the Prohibition of Chemical Weapons

The Executive Council of the OPCW, in its decision (EC-XXII/DEC.5, dated 7 December 2001), reaffirmed that the OPCW plays a role in the anti-terrorist efforts. The decision identifies several areas of activity in which the Organisation could make a contribution to that effort:

"Recognises that the full and effective implementation of all provisions of the Convention is in itself a contribution to global anti-terrorist efforts;

Stresses that, at this stage, the contribution to global anti-terrorist efforts in the context of the Chemical Weapons Convention should focus on the following main areas:

(a) promotion of universal adherence to the Convention;

(b) full implementation of the legislative measures required by Article VII;

(c) full implementation of the provisions of Articles IV and V related to the destruction of chemical weapons;

(d) full implementation of the provisions of Article VI related to activities not prohibited by the Convention;

(e) ability of the OPCW to respond to the assistance and protection provisions under Article X."

Furthermore, the First Review Conference to review the operation of the Chemical Weapons Convention (28 April to 9 May 2003) reaffirmed the OPCW's role in global anti-terrorist efforts and stressed that the universal application of the CWC and its full and effective implementation helps preventing terrorists to access chemical weapons. It also noted the risks associated with possible terrorist attacks on chemical facilities, and the role that the OPCW could play as a forum for consultation and cooperation among States Parties, if they so wish, also in this respect. The First Review Conference called for the adoption of two action plans, related respectively to the promotion of the universality of the CWC and the implementation of Article VII obligations. It also called for the further optimisation of the OPCW's verification system, as well as for efforts to coordinate the OPCW's activities in the field of assistance with other international agencies involved in emergency response.

These above mentioned action plans are now being implemented. The number of States Parties has risen to 167, the number of Signatory States which have not yet deposited their instrument of ratification is 16 and there are still 11 States which have neither signed nor acceded to the Convention. States Parties have taken measures to improve their implementation of Article VII obligations, and the Secretariat as well as some 25 Member States have offered assistance, upon request, to States Parties that require such support.

In the context of the OPCW Executive Council decision and of the appeal by the United Nations, the OPCW Technical Secretariat has established channels of communication in order to develop modalities of practical co-operation, and is maintaining contacts with other relevant regional, sub-regional and international organisations, in the field of counter-terrorism. The aim of these contacts is to identify ways of assisting each other, in accordance with relevant mandates, in providing information or making knowledge and expertise available in case of need, and to coordinate programme activities that relate to action against terrorism in order to better serve the needs of their Member States.

The OPCW Executive Council established an open-ended working group on terrorism to examine further the OPCW's contribution to global anti-terrorist efforts. Within the OPCW Technical Secretariat the issue of counter-terrorism is co-ordinated by the Director of Special Projects Ambassador Alexander Khodakov. Below please find the contact information for the Office of Special Projects:

e-mail: SpecialProjects@opcw.org
telephone: +31 70 416 3726
fax: +31 70 416 3499

22. Organization of American States, Inter-American Committee against Terrorism

Developing Regional Cooperation

Developing action plans

CICTE develops its program activities based on an annual work plan that is approved by the OAS Member States at our annual meeting. Our next meeting is scheduled for February 17-18 in Port of Spain, Trinidad & Tobago. I have attached to this report a copy of the 2004 plan.

In addition, this past year, CICTE, working together with two other OAS units, the Conference of Ministers of Justice and Attorneys-General and the Inter-American Telecommunications Union (CITEL) developed a comprehensive cyber-security strategy that the OAS Member States approved at the General Assembly meeting in Quito, Ecuador in June. The plan, which we are now implementing, comprises the development of new legislations related to cyber-crime, security standards for telecommunications and computer networks, and the development of a network of cyber-alert centers in the member states. A copy of this strategy is also attached.

Promoting action plans

The CICTE program is essentially a program of technical assistance, capacity building, and information sharing. CICTE develops projects under the program approved in the work plan, and conducts them, generally in partnership with other interested bodies. Certainly, our most important and effective partnership has been with the UN Office of Drugs and Crime (UNODC) in Vienna, with which we have conducted a wide range of projects, ranging from promoting national legislation to implement UNSCR 1373 to workshops on detecting terrorist-financing. In addition, we have worked closely with a number of international organizations and regional governments on capacity building projects. Working closely with the US Government, we have trained over 200 port security officers from the Caribbean basin countries on implementing key aspects of the new requirements of the ISPS Code. We have worked with the International Civil Aviation Organization and the US Government on training over 100 airport security officers on the new ICAO requirements, and with the International Organization on Migration on a series of border assessments. This list is illustrative, but by no means definitive. I have attached to this presentation a copy of our latest program matrix that details these projects.

Problems we face – what would help

Lack of resources – mainly financial - constrain Member State ability to make a number of changes to security practices and to infrastructure. Many complain that, public assertions to the contrary notwithstanding, international financial institutions have not been helpful in providing funding for security-related projects. This may reflect lack of familiarity on the part of some government officials with IFI procedures and requirements, but also perhaps an unwillingness on the part of IFIs to fully accept security as a dimension of the development process.

Also, frankly, some international institutions and regional organizations appear less interested in cooperation and coordination than others. I have mentioned a number of organizations with which we have developed effective joint cooperative programs. I could as well mention some whose response has been less than forthcoming. I want to emphasize that I do not use the word cooperation as a euphemism for funding. CICTE's projects are fully funded by OAS Member States and Observers. But we have encountered more than one case of governments and organizations that were unwilling or unable to share information about their activities – a trait that leads to needless duplication as well as gaps in service. This is an area in which CTC/CTED could play a major role in improving cooperation and information sharing.

Remedies available who do not compiy

The OAS is an organization of its Member States. When Member States are deficient in one or another aspect of counter-terrorism programs, we try to identify the problem and, if training related - for example difficulties with implementing asset seizure laws - provide assistance. If the problem is political, we will meet with both government and non-governmental groups to explain the international requirements of UNSCR 1373, for example, and what they need to do locally to bring their practices into both compliance with international law and with accepted best international practices.

Areas where further work required

We need to do more work on improving Member States' ability to identify and prosecute terrorist financing, including asset seizure. We will make special push this year on border management and document control issues, including shipping documents. We continue to implement our cyber-security strategy, and provide additional training for port and airport security officers. Finally, we are developing a number of regional initiatives to help Caribbean Member States strengthen their security procedures in anticipation of hosting the 2007 Cricket World Cup matches. These will include special security training for hotels managers, improving immigration controls, policy-planning exercises related to terrorism issues.

Lessons learned

Of course, adequate resources are essential to our mission, but good communications with both our Member State governments and with other regional and international organizations are equally important. It seems as though too many people are trying to do the same things in the same places without any coordination. We have developed a network of contacts in each of our Member State governments, and a formal set of terms of reference that governs our respective responsibilities. Although the ministries they represent vary from country to country, these are people who should be active within their respective national security communities. In cases where they are not part of that community, for example an official in the international organizations department of the foreign ministry, communication is less effective.

Similarly, we believe that a formal work plan, approved by the organization's members, and as secretariat to devise and carry out projects under the work plan are essential. We constantly evaluate our work in terms of output – what has a particular activity accomplished. We do not believe that holding a meeting is an output – we must ask ourselves what has changed as a result of a meeting, or any of our programs.

How can CTC/CTED support us

We want to be able to look to CTC/CTED for information and guidance on counter-terrorism activities relevant to our area – the Western Hemisphere. We believe that CTC/CTED should be the place to go to find out which governments and organizations are conducting relevant training programs or developing codes of best practices. We would look to the CTC/CTED for support in developing cooperative programs with organizations that have not acquired a culture of cooperation and information sharing. We would welcome CTC/CTED sponsorship of a dialogue between the security community and the development community, broadly defined. If security measures could be integrated into development projects, for example building ISPS code required upgrades into port development projects, or ICAO security measures into airport expansions, or providing funding for integrated border management systems, this would go a long way towards helping our Member States meet both their development and security needs most efficiently. Ideally, lending institutions should be encouraged to examine security plans as part of the lending process for all infrastructure projects they finance.

23. Security Council Committee established pursuant to resolution 1540 (2004)

I. Introduction

1. The present report reports on the activities undertaken and the results achieved by the Security Council Committee established pursuant to resolution 1540 (2004) in the period 11 June-5 December 2004.

2. Although the report is generated by the Chair and is therefore subject to its judgement and responsibilities, the Chair of the Committee has consulted with the member States of the Committee with the intention of producing a report that takes into account the shared opinion of all members.

II. Legal framework

3. On 28 April, the Security Council unanimously adopted resolution 1540 (2004), in the Council which affirmed that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security. Acting under Chapter VII of the Charter of the United Nations, the Council decided that States shall refrain from providing any support to non-State actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery. The Security Council also decided that States shall adopt and enforce appropriate effective laws which prohibit any non-State actor from manufacturing, acquiring, possessing, developing, transporting, transferring or using nuclear, chemical or biological weapons and their means of delivery. The Council further decided that States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of such weapons and their means of delivery. Controls include measures to secure and protect such items, export and border controls, law-enforcement efforts, and the development and improvement of appropriate legislation and administrative provisions. The adoption of the resolution was preceded by intensive consultations and discussions within and outside the Security Council. Resolution 1540 (2004) imposes binding far-reaching obligations on all Member States to take legislative and administrative actions in accordance with their national procedures.

III. Establishment of the 1540 Committee

4. On 9 June 2004, Council members appointed Mihnea Motoc (Romania) as Chairman and the representative of the Philippines as Vice-Chairman of the Committee. The Committee began its work on 11 June 2004. On 26 October 2004, the Council appointed Benin and the United Kingdom as two additional Vice-Chairs.

5. On 22 October 2004, the Committee decided to establish three subcommittees with a view to sharing the task of considering member States' reports submitted pursuant to paragraph 4 of resolution 1540 (2004) with each subcommittee covering for the above-mentioned purpose an equal number of States grouped according to alphabetical order. The Vice-Chairs of the Committee will each chair a subcommittee.

IV. Adoption of guidelines

6. Since its establishment, the Committee has worked continuously, on both a formal and an informal basis, to adopt the necessary initial documents to enable it to become fully operational. On 13 August, the Committee adopted guidelines for the conduct of its work, as well as guidelines for the preparation of national reports to be submitted to the Committee pursuant to paragraph 4 of resolution 1540 (2004). Both sets of guidelines have been distributed to member States for their information and guidance.

7. The guidelines for the conduct of the Committee's work provide details concerning the mandate and working methods of the Committee, including with respect to composition, format of meetings, documentation, information received, reports from member States, decision-making and transparency. The guidelines for the preparation of national reports are designed to provide guidance to member States in the preparation of the reports to be submitted pursuant to paragraph 4 of resolution 1540 (2004). In accordance with that provision, member States were called upon to submit their first reports to the Committee by 28 October.

V. Hiring of experts

8. On 29 September, the Committee adopted guidelines for hiring experts, which have been distributed through a Chairman's note to Member States for their information. Experts will help the Committee in the process of consideration of the national reports submitted pursuant to resolution 1540 (2004). The appointment of experts is consistent with the relevant provisions of resolution 1540 (2004) and the Committee's guidelines for the conduct of its work. After their appointment by the Secretariat, the experts will facilitate consideration of first national reports submitted by Member States.

9. On 1 December 2004, at its third formal meeting, the Committee approved the recruitment of four experts. The Committee also decided that in the process of recruiting other experts, it will invite further nominations of experts in the necessary areas of expertise, particularly from Asia and Africa.

10. With the recruitment of its first four experts, the Committee is equipped to enter the substantive stage of its work, namely, the consideration of the national reports submitted by member States pursuant to resolution 1540 (2004).

VI. Reporting

11. In its resolution 1540 (2004) the Council calls upon all States to present to the Committee a first report not later than six months from the adoption of the resolution 1540 (2004), i.e., by 28 October, on the steps they have taken or intend to take to implement the resolution. With the approval of the Committee, the Chairman has sent to all Member States two notes reminding them of this deadline and encouraging them to submit to the Committee their first national reports. As of 3 December, 86 States and one organization have submitted reports to the Committee (see appendix I). The list of States that have yet to report is contained in appendix II.

VII. Cooperation with international organizations

12. As the Committee proceeds with its work, it has agreed that it may require technical assistance from the international organizations with expertise in the areas covered by resolution 1540 (2004), in particular the International Atomic Energy Agency (IAEA) and the Organization for the Prohibition of Chemical Weapons (OPCW), as the needs may arise. On 15 August, the Chairman sent letters to the Director-Generals of IAEA and OPCW, alerting them of the Committee and its intention to make requests of them, as appropriate. Similar letters were addressed to the Chairman of the Nuclear Suppliers Group and the Zangger Committee in response to their offers of cooperation with the Committee.

VIII. Transparency/outreach

13. In the spirit of transparency that characterizes the adoption of resolution 1540 (2004) and forms an integral component of the Committee's guidelines, the Chairman has conducted outreach to United Nations membership and relevant international bodies. He held an informal meeting with the wider United Nations membership on 15 September. On 2 December, the Committee approved the methodology for placing the national reports submitted by member States on the web site of the Committee.

IX. General conclusion

14. The work performed in the period covered by the present report was concentrated mainly on making the Committee fully functional and operational before it starts the consideration of the first national reports submitted by member States pursuant to resolution 1540 (2004). On behalf of the Committee, the Chairman looks forward to the cooperation of all States as the Committee goes forward with its work in the coming months.

Appendix I

Submission of national reports

List of submitting member States as of 7 December 2004

(In accordance with para. 4 of resolution 1540 (2004) and/or in reply to the note verbale dated 21 June 2004)

	Submitting State	*Date of submission*	*Symbol*
1	Albania	28 Oct 2004	S/AC.44/2004/(02)/38
2	Algeria	10 Nov 2004	S/AC.44/2004/(02)/73
3	Andorra	27 Oct 2004	S/AC.44/2004/(02)/19
4	Angola	27 Oct 2004	S/AC.44/2004/(02)/29
5	Argentina	26 Oct 2004	S/AC.44/2004/(02)/13
6	Armenia	9 Nov 2004	S/AC.44/2004/(02)/72
7	Australia	28 Oct 2004	S/AC.44/2004/(02)/53
8	Austria	28 Oct 2004	S/AC.44/2004/(02)/51
9	Azerbaijan	28 Oct 2004	S/AC.44/2004/(02)/66
10	Bahamas	28 Oct 2004	S/AC.44/2004/(02)/42
11	Belarus	20 Oct 2004	S/AC.44/2004/(02)/16
12	Belgium	26 Oct 2004	S/AC.44/2004/(02)/12
13	Belize	20 Oct 2004	S/AC.44/2004/(02)/7*
14	Bosnia and Herzegovina	22 Nov 2004	S/AC.44/2004/(02)/80
15	Brazil	26 Oct 2004	S/AC.44/2004/(02)/17
16	Bulgaria	18 Nov 2004	S/AC.44/2004/(02)/79
17	Chile	27 Oct 2004	S/AC.44/2004/(02)/27
18	China	4 Oct 2004	S/AC.44/2004/(02)/4
19	Costa Rica	4 Aug 2004	S/AC.44/2004/(02)/1
20	Croatia	30 Nov 2004	S/AC.44/2004/(02)/86
21	Cuba	28 Oct 2004	S/AC.44/2004/(02)/50
22	Cyprus	30 Nov 2004	S/AC.44/2004/(02)/85
23	Czech Republic	27 Oct 2004	S/AC.44/2004/(02)/28
24	Denmark	28 Oct 2004	S/AC.44/2004/(02)/30
25	Egypt	28 Oct 2004	S/AC.44/2004/(02)/88
26	Estonia	29 Oct 2004	S/AC.44/2004/(02)/69
27	Finland	28 Oct 2004	S/AC.44/2004/(02)/57
28	France	28 Oct 2004	S/AC.44/2004/(02)/58
29	Georgia	28 Oct 2004	S/AC.44/2004/(02)/37

	Submitting State	Date of submission	S/symbol
30	Germany	26 Oct 2004	S/AC.44/2004/(02)/20
31	Ghana	5 Nov 2004	S/AC.44/2004/(02)/76
32	Greece	25 Oct 2004	S/AC.44/2004/(02)/10
33	Guatemala	27 Oct 2004	S/AC.44/2004/(02)/18
34	Guyana	11 Nov 2004	S/AC.44/2004/(02)/78
35	Hungary	27 Oct 2004	S/AC.44/2004/(02)/25
36	Iceland	28 Oct 2004	S/AC.44/2004/(02)/43
37	India	1 Nov 2004	S/AC.44/2004/(02)/62
38	Indonesia	28 Oct 2004	S/AC.44/2004/(02)/45
39	Ireland	28 Oct 2004	S/AC.44/2004/(02)/32
40	Israel	30 Nov 2004	S/AC.44/2004/(02)/84
41	Italy	28 Oct 2004	S/AC.44/2004/(02)/52
42	Japan	28 Oct 2004	S/AC.44/2004/(02)/49
43	Kazakhstan	3 Nov 2004	S/AC.44/2004/(02)/68
44	Latvia	28 Oct 2004	S/AC.44/2004/(02)/40
45	Lebanon	23 Nov 2004	S/AC.44/2004/(02)/83
46	Liechtenstein	29 Oct 2004	S/AC.44/2004/(02)/59
47	Lithuania	27 Oct 2004	S/AC.44/2004/(02)/26
48	Luxembourg	29 Oct 2004	S/AC.44/2004/(02)/56
49	Malaysia	26 Oct 2004	S/AC.44/2004/(02)/35
50	Malta	15 Oct 2004	S/AC.44/2004/(02)/6
51	Marshall Islands	23 Nov 2004	S/AC.44/2004/(02)/82
52	Mexico	7 Dec 2004	S/AC.44/2004/(02)/87
53	Monaco	29 Oct 2004	S/AC.44/2004/(02)/55
54	Morocco	28 Oct 2004	S/AC.44/2004/(02)/33
55	Namibia	28 Oct 2004	S/AC.44/2004/(02)/36
56	Netherlands	28 Oct 2004	S/AC.44/2004/(02)/47
57	New Zealand	28 Oct 2004	S/AC.44/2004/(02)/54
58	Nigeria	28 Oct 2004	S/AC.44/2004/(02)/46
59	Norway	28 Oct 2004	S/AC.44/2004/(02)/31
60	Pakistan	27 Oct 2004	S/AC.44/2004/(02)/22
61	Paraguay	3 Nov 2004	S/AC.44/2004/(02)/67
62	Peru	28 Oct 2004	S/AC.44/2004/(02)/60
63	Philippines	28 Oct 2004	S/AC.44/2004/(02)/34
64	Poland	27 Oct 2004	S/AC.44/2004/(02)/23

	Submitting State	Date of submission	S/symbol
65	Portugal	28 Oct 2004	S/AC.44/2004/(02)/44
66	Qatar	15 Nov 2004	S/AC.44/2004/(02)/75
67	Republic of Korea	27 Oct 2004	S/AC.44/2004/(02)/24
68	Romania	27 Oct 2004	S/AC.44/2004/(02)/21
69	Russian Federation	26 Oct 2004	S/AC.44/2004/(02)/14
70	Saudi Arabia	1 Nov 2004	S/AC.44/2004/(02)/65
71	Singapore	21 Oct 2004	S/AC.44/2004/(02)/8
72	Slovakia	1 Nov 2004	S/AC.44/2004/(02)/64
73	Slovenia	28 Oct 2004	S/AC.44/2004/(02)/61
74	Spain	26 Oct 2004	S/AC.44/2004/(02)/15
75	Sweden	28 Oct 2004	S/AC.44/2004/(02)/41
76	Switzerland	22 Oct 2004	S/AC.44/2004/(02)/9
77	Syrian Arab Republic	14 Oct 2004	S/AC.44/2004/(02)/70
78	Thailand	5 Nov 2004	S/AC.44/2004/(02)/71
79	The former Yugoslav Republic of Macedonia	22 Nov 2004	S/AC.44/2004/(02)/81
80	Turkey	1 Nov 2004	S/AC.44/2004/(02)/63
81	Turkmenistan	10 Sep 2004	S/AC.44/2004/(02)/2
82	Ukraine	25 Oct 2004	S/AC.44/2004/(02)/11
83	United Kingdom	29 Sep 2004	S/AC.44/2004/(02)/3
84	United States of America	12 Oct 2004	S/AC.44/2004/(02)/5
85	Uzbekistan	15 Nov 2004	S/AC.44/2004/(02)/74
86	Venezuela (Bolivarian Republic of)	16 Nov 2004	S/AC.44/2004/(02)/77
87	Viet Nam	28 Oct 2004	S/AC.44/2004/(02)/39
	European Union (non-member)	28 Oct 2004	S/AC.44/2004/(02)/48

Note: Reports are translated in the order of submission and published as stated most recently in section 3, paragraph 7, of General Assembly resolution 58/250 regarding the simultaneous distribution of documents in all official languages. Once documents are available in all official languages, they may be posted on a United Nations web site. However, in some instances, there may be a variance in the processing time for certain reports due to their length and/or complexity.

[a] Requested an extension of the submission deadline.

Appendix II

Submission of national reports

List of non-submitting member States as of 7 December 2004

(In accordance with para. 4 of resolution 1540 (2004) and/or in reply to the note verbale dated 21 June 2004)

	Non-submitting State
1	Afghanistan
2	Antigua and Barbuda
3	Bahrain
4	Bangladesh
5	Barbados
6	Benin
7	Bhutan
8	Bolivia
9	Botswana
10	Brunei Darussalam
11	Burkina Faso
12	Burundi
13	Cambodia
14	Cameroon
15	Canada
16	Cape Verde
17	Central African Republic
18	Chad
19	Colombia
20	Comoros
21	Congo
22	Côte d'Ivoire
23	Democratic People's Republic of Korea
24	Democratic Republic of the Congo
25	Djibouti
26	Dominica
27	Dominican Republic
28	Ecuador
29	El Salvador
30	Equatorial Guinea
31	Eritrea
32	Ethiopia
33	Fiji

	Non-consenting State
34	Gabon
35	Gambia
36	Grenada
37	Guinea
38	Guinea-Bissau
39	Haiti
40	Honduras
41	Iran (Islamic Republic of)
42	Iraq
43	Jamaica
44	Jordan
45	Kenya
46	Kiribati
47	Kuwait
48	Kyrgyzstan
49	Lao People's Democratic Republic
50	Lesotho
51	Liberia
52	Libyan Arab Jamahiriya
53	Madagascar
54	Malawi
55	Maldives
56	Mali
57	Mauritania
58	Mauritius
59	Micronesia (Federated States of)
60	Mongolia
61	Mozambique
62	Myanmar
63	Nauru
64	Nepal
65	Nicaragua
66	Niger
67	Oman
68	Palau
69	Panama
70	Papua New Guinea
71	Republic of Moldova*
72	Rwanda
73	Saint Kitts and Nevis

	Non-submitting State
74	Saint Lucia
75	Saint Vincent and the Grenadines
76	Samoa
77	San Marino
78	Sao Tome and Principe
79	Senegal
80	Serbia and Montenegro
81	Seychelles
82	Sierra Leone
83	Solomon Islands
84	Somalia
85	South Africa[1]
86	Sri Lanka
87	Sudan
88	Suriname
89	Swaziland
90	Tajikistan
91	Timor-Leste
92	Togo
93	Tonga
94	Trinidad and Tobago
95	Tunisia
96	Tuvalu
97	Uganda
98	United Arab Emirates
99	United Republic of Tanzania
100	Uruguay
101	Vanuatu
102	Yemen
103	Zambia
104	Zimbabwe

[1] Requested an extension of the submission deadline.

24. Shanghai Cooperation Organization, Regional Counter-Terrorism Structure

[Original: Russian]

We submit herewith the responses to questions concerning the Regional Counter-Terrorism Structure (RCTS) of the Shanghai Cooperation Organization (SCO) posed in the letter of 30 November 2004 (with an invitation to participate in the fourth special meeting of the Counter-Terrorism Committee with international, regional and subregional organizations on matters of cooperation in the area of combating terrorism).

The RCTS was established in accordance with the decisions of the SCO member States set forth, in particular, in the Charter of the Shanghai Cooperation Organization of 7 June 2002 and the agreement among the States members of the Shanghai Cooperation Organization governing the Regional Counter-Terrorism Structure.

The main objectives of the RCTS are:

- To formulate proposals and recommendations on developing cooperation in the fight against terrorism, separatism and extremism for the relevant SCO structures;
- To assist the competent agencies of SCO member States in efforts to combat terrorism, separatism and extremism;
- To gather and analyse information on combating counter-terrorism, separatism and extremism;
- To form an RCTS databank on international terrorist, separatist and other extremist organizations, their structures, leaders and members and other persons associated with them, and also on the sources and channels of their financing, their status and strategy and trends with respect to the spread of terrorism, separatism and extremism;
- To assist in the planning and performance of counter-terrorism training exercises;
- To assist in the planning and performance of search operations and other measures to combat terrorism, separatism and extremism;
- To assist in carrying out international searches;
- To participate in the drafting of international legal instruments concerning the fight against terrorism, separatism and extremism;
- To assist in the training of specialists and instructors for counter-terrorism units;
- To participate in the planning and holding of expert counter-terrorism conferences and workshops and to cooperate in the exchange of experience on combating terrorism, separatism and extremism;
- To establish and support working contacts with international organizations involved in combating terrorism, separatism and extremism.

The activities of the RCTS are governed by the documents and decisions on combating terrorism, separatism and extremism adopted within the framework of the SCO.

The RCTS is composed of a Council and an Executive Committee.

The RCTS Council determines the procedures for implementing the main objectives and duties of the Structure. In accordance with the powers of the Structure, the RCTS Council adopts binding decisions on all substantive matters, including finance.

The regular meetings of the Council are convened by the Council President no less than once every six months. The provisional agenda and specific dates of the regular meetings are determined at the previous meetings or agreed upon by member States through consultation and are normally held at the headquarters of the RCTS Executive Committee in Tashkent.

Special meetings may be convened on the initiative of one or more member States or the Director of the Executive Committee.

The Executive Committee is a standing body of the RCTS.

Decisions within the SCO bodies are taken by consensus without a vote and are considered to be adopted if none of the member States opposes such decisions during consultations. Accordingly, decisions within the RCTS Council on any matter are considered to be adopted if none of the parties opposes such decisions.

Any member State may put forward its views on individual aspects and/or specific questions relating to the decisions without hindering the adoption of the overall decision. Such views are entered into the record of the meeting.

In the event that one or more member States do not wish to implement particular cooperation projects of interest to other member States, the lack of involvement in them on the part of those member States shall not hinder the implementation by interested member States of such projects and, furthermore, shall not hinder those member States from participation in such projects in the future.

The decisions of the SCO bodies are implemented by member States in accordance with the procedures established under their national laws.

The SCO bodies are responsible within their competence for monitoring the fulfilment of the commitments of member States to implement the existing agreements and decisions adopted by those bodies within the framework of the SCO.

The ceremony for the official opening of the RCTS Executive Committee headquarters took place on 17 June 2004 in Tashkent.

Meetings were held this year with the high-level officials of the competent bodies of all SCO member States on coordination and cooperation in the area of counter-terrorism, separatism and extremism. The leadership of the Executive Committee also constantly participated directly in bilateral negotiations with the competent bodies of SCO member States on matters of counter-terrorist activities.

Analytical work is being done to inform the concerned departments of SCO member States about new trends in international terrorism, about forms and methods of action used by terrorist and separatist organizations that pose a threat to the

security of SCO member States, and about measures taken abroad to counter terrorism.

The RCTS Executive Committee has promoted cooperation on combating terrorism, separatism and extremism with the Central Asian regional office of the United Nations Office on Drugs and Crime, the Organization for Security and Cooperation in Europe (OSCE) Centre in Uzbekistan and diplomatic missions accredited to the Republic of Uzbekistan.

The RCTS Executive Committee regularly posts public information on the work that it is doing on its Internet web site to increase awareness of efforts to combat international terrorism, separatism and extremism.

With the participation of the Executive Committee, further work is being done to develop the legal basis already in place for cooperation among SCO member States in the area of combating terrorism, separatism and extremism.

It should be noted that the organizational stage of forming the SCO RCTS is now largely completed.

II. Specialized United Nations agencies, funds and programmes

25. International Civil Aviation Organization

SUMMARY OF RECENT ACTIVITIES OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION RELATING TO COUNTER-TERRORISM

This information on activities of the International Civil Aviation Organization (ICAO) supplements that already made available to previous Special Meetings with International, Regional and Sub-regional Organizations.

ACTION BY THE 35TH SESSION OF THE ICAO ASSEMBLY

The 35th Session of the ICAO Assembly, held in Montreal from 28 September to 8 October 2004, considered a report on the two terrorist acts committed simultaneously on 24 August 2004 in the Russian Federation by suicide bombers who carried explosive devices on board aircraft on their bodies. These incidents resulted in the total destruction of the two aircraft and the deaths of all passengers and crew members. The Assembly adopted Resolution A35-1: *Acts of terrorism and destruction of Russian civil aircraft resulting in the deaths of 90 people - passengers and crew members* which urges Contracting States to cooperate actively in holding to account and punishing severely those responsible for aiding, supporting or harbouring those who perpetrated these attacks, as well as those who organized and sponsored them. It also calls upon Contracting States to study ways and means to reinforce the prevention of terrorist attacks using explosives, in particular by enhancing international cooperation and information exchange in developing technical means of detection of explosives, giving increased attention to the detection of explosive devices on the human body.

In the light of the continued threat to civil aviation posed by man-portable air defence systems (MANPADS), the 35th Session adopted Resolution A35-11: *Threat to civil aviation posed by man-portable air defence systems (MANPADS)* aimed at strengthening the aviation community's efforts to address this serious threat. The Resolution urges all Contracting States to actively participate in the development of an international instrument for the purpose of identifying and tracing illicit small arms and light weapons as referred to in the United Nations General Assembly resolution 58/241 *on the illicit trade in small arms and light weapons in all its aspects* and to apply the principles defined in the *Elements for Export Controls of MANPADS* of the *Wassenaar Arrangement*, if they have not yet participated in the Arrangement. Both Resolutions have been brought to the attention of Contracting States urging States to implement them.

Universal Security Audit Programme (USAP)

Under the Universal Security Audit Programme (USAP) 64 States have already been audited. It is intended that approximately 40 aviation security audits will be conducted on a yearly basis, with all 188 ICAO Contracting States having benefited from an initial audit by the end of 2007.

The USAP is promoting positive change and is visibly improving global aviation security as States become increasingly sensitized to international requirements and strive to be in compliance with the Standards in Annex 17 - *Security* in anticipation of their upcoming audit or follow-up visit.